

PREFACE

In view of a number of amendments issued since last publication of Employees Service Regulations, 1964 in 1997, it has been considered appropriate that an updated edition of these Regulations should be made available incorporating all the amendments and Board's decision issued from time to time.

Accordingly, an updated edition of these regulations upto 31.12.2011 has been attempted. Although, every possible care has been taken to avoid errors and omissions, however, if any errors or omissions are detected in this update, which might have been remained inadvertently, the same may please be brought to the notice of F&R section, RVPN, Jaipur

For the matters involving legal and financial implications a reference to the original Circulars/Orders/ Instructions should, invariably, be made.

(Shailendra Agrawal)
Chairman and Managing Director
RVPN, Jaipur.

Jaipur:

Date:

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PREAMBLE

In exercise of the powers conferred by Section 15 of the Rajasthan Power Sector Reforms Act, 1999 (Act No. 23 of 1999), read with sub-clause (5) and (6) of Clause 6 of the Rajasthan Power Sector Reforms Transfer Scheme, 2000, read with section 185(3) of the Electricity Act 2003, the Board of Directors of Rajasthan Rajya Vidyut Prasaran Nigam Limited in its 201st meeting held on 2nd December, 2011, has approved and decided that an updated edition of Rajasthan Rajya Vidyut Prasaran Nigam Employees Service Regulations should be compiled and be got printed after incorporating all the amendments and Board's decision issued from time to time.

The Board of Directors in its 86th meeting held on 7.7.2004 has decided to substitute the words "RSEB, BOARD and Rajasthan State Electricity Board" by the words "RVPN, NIGAM and Rajasthan Rajya Vidyut Prasaran Nigam Limited" vide order No. 947 dated 3.9.2004 (F&R-238)

CHAPTER-I

Extent of Application and Definition

1. Short title and date of effect:

These Regulations may be called "Rajasthan Rajya Vidyut Prasaran Nigam Employees' Service Regulations", earlier known as Rajasthan State Electricity Board Employees' Service Regulations. These regulations shall continue to be effective from 1st Nov., 1964.

2. Extent of Application:

- (i) These Regulations with such amendments, as may be made by the Nigam from time to time, shall apply to all employees of the Nigam, except:
 - (a) work charged employees
 - (b) casual labour
 - (c) persons for whose appointment and other matters covered by these Regulations special provisions is made by or under any law for the time being in force in regard to the matters covered by such law.
 - (d) persons engaged on retention cum- fee, part time or any other basis as consultants, advisors or counsels for legal profession or any other purposes.
- (ii) The decisions and interpretations given by Government of Rajasthan and audit decisions of the Comptroller and Auditor General of India in respect of Rajasthan Service Rules, which are similarly worded as these Regulations, shall apply mutatis mutandis to the employees of the Nigam, except in cases when the Nigam decides otherwise.

Provided that the permanent employees whose services were taken over from the Electrical & Mechanical Department of the Govt. of Rajasthan, w.e.f. the 1st July, 1957 vide Govt. pf Rajasthan P.W. (B) Department order No. 13 /OSD/Elec. BD-57 dated 12.2.1958, shall have the option either to:

- (a) accept these regulations or,
 - (b) to continue in the grades and service conditions, as existed on the 1st July, 1957 except in regard to conduct & discipline rules. On promotion to higher grades after the 1st July, 1957, i.e. the date of formation of the Board, they will be governed by these Regulations, except in regard to pension which will be governed by the rules of Rajasthan Government on the subject for equivalent posts, unless they opt for RSEB CPF scheme. In regard to conduct & discipline rules they will be governed by the Rules & Regulations framed by the Nigam in this behalf; or
 - (c) to obtain relief from Government service by claiming pension or gratuity, as may be admissible, on abolition of posts under the Rajasthan Service Rules (Rules 215 to 226).
 - (i) the option must be exercised in the form prescribed within six months of the date of issue of these Regulations and option once exercised shall be final.
 - (ii) The option shall be communicated by the Nigam's employees:
 - (a) if he is an employee belonging to class I and class II, as defined in Regulation 4, to the ¹[Chief Accounts Officer].
1. **Substituted for the words "Controller of Accounts" vide order No.RSEB/F&R/F.11(2)/D.10 dated 6/2/97.**
- (b) If he is an employee of the Nigam belonging to class III or Class IV as defined in Regulation 4, to his Head of Office.

Provided further that these Regulations shall not apply to Govt. servants on deputation from Govt. of India or any state or those who have been appointed on contract with the Nigam, in respect of such matters as are specifically provided for in the terms of their deputation or contract for appointment.

(3) Definitions

In these Regulations unless the context otherwise requires or provides:

- (i) 'Nigam' means the Rajasthan Rajya Vidyut Prasaran Nigam Limited.
- (ii) 'Cadre' means the strength of a class of employees or part of a class, sanctioned as a separate unit.
- (iii) 'Casual employee' means an employee whose employment is of a casual nature.
- (iv) 'Compensatory allowance' means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance but it does not include sumptuary allowance.
- (v) 'Competent Authority' in relation to the exercise of any power means the Board of Directors or any authority or officer declared or designated as such by the Board of Directors for the purpose of these Regulations. A list of authorities who exercise the powers of competent authority under these regulations is given in Appendix - I.

(vi) 'Day' means a calendar day, beginning and ending at midnight but an absence from headquarters which does not exceed twenty four hours shall be reckoned for all purposes as one day at whatever hour the absence begins or ends.

(vii) 'Duty' includes:

- (a) Service as a probationer or apprentice, provided that such service is followed by confirmation
- (b) Joining time.
- (c) A course of training or instruction declared by the Nigam to be duty.
- (d) The time spent in training by the employees who join the Army in India Reserve of Officers.
- (e) The time taken by an employee in undergoing an obligatory Departmental examination which the employee has to pass as a condition of service and any reasonable time required for the journey, if any, to and from the place of the examination, or to take up an examination which he has been permitted to take and the passing of which is the condition of preferment in Nigam's service within the normal scope of the employee's Department or office.
- (f) The period of compulsory waiting by an employee returning from leave or after making over charge of his old post for orders of the competent authority, posting him to a particular post.

(viii) 'Daily labour' means an employee who is employed at daily rates or wages.

(ix) 'Employee' means any person who is in the service of the Nigam but does not include daily labour work charged or casual employee and persons engaged on retention cum fee, part time or any other basis as consultant, advisor or counsels for legal, professional or any other purposes.

(x) 'Family' means a Nigam employee's wife, legitimate children and step-children residing with and wholly dependent upon him. Except for purposes of transfer traveling allowance and medical facilities, it also includes his parents, sisters and minor brothers if residing with and wholly dependent upon him. Not more than one wife is included in a family. In the case of female employee it includes dependent husband also.

(xi) 'Government' means the Government of Rajasthan.

(xii) 'Holiday' means

- (a) a holiday prescribed by or under the Negotiable Instruments Act and
- (b) in relation to any particular office, a day on which such office is ordered to be closed under the orders of the Nigam for transaction of the Nigam's business without reserve or qualification.

(xiii) 'Joining time' means the time allowed to an employee of the Nigam to join a new post or to travel to or from a station to which he is posted.

(xiv) 'Lien' means the title of an employee to hold substantively, either immediately or on the

termination of a period or periods of absence, a permanent post to which he has been appointed substantively i.e. in a permanent capacity.

- (xv) 'Month' means a calendar month. In calculating a period expressed in terms of months and days complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.
- (xvi) 'Officiate' means an employee officiates in a post when he performs the duties of the post on which another person holds a lien. The appointing authority may, if it thinks fit, appoint an employee to officiate in a vacant post on which no other employee holds a lien.
- (xvii) 'Over time' payment is the remuneration in so far as it relates to employees governed by the Factory law, payable for service beyond the normal spell of duty, at such rates as may be fixed by the Nigam from time to time.
- (xviii) 'Pay' means the amount drawn monthly by an employee as:
- (a) The pay other than special pay and personal pay and pay granted in view of his personal qualifications which has been sanctioned for the post held by him substantively or in an officiating capacity, and
 - (b) Special pay and personal pay, and
 - (c) any other emoluments which may be specially classed as pay by the Nigam.
- (xix) 'Personal Pay' means an additional pay granted to an employee:
- (a) to save him from a loss of substantive pay due to a revision of pay or to any reduction of substantive pay otherwise than as a disciplinary measure, or
 - (b) in exceptional circumstances, on other personal consideration.
- (xx) 'Permanent Post' means a post carrying a definite rate of pay without limit of time.
- (xxi) 'Permanent employee' means an employee who has been engaged on a permanent basis substantively against a permanent post sanctioned without limit of time, or would hold a lien on a permanent post had the lien not been suspended.
- (xxii) 'Presumptive pay of a post': When used with reference to any particular employee means the pay to which he would be entitled if he held the post substantively and were performing its duties, but it does not include special pay unless the employee performs or discharges the work or responsibility or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned.
- (xxiii) 'Probationer' means an employee employed against a permanent post substantively vacant with definite condition of probation and is appointed provisionally pending satisfactory completion of the probationary period.
- (a) This term does not, however, cover an employee who holds, substantively a permanent post in a cadre and is merely appointed 'on probation' to another post.
 - (b) No person appointed substantively to permanent post in a cadre is a probationer unless definite conditions of probation have been attached to his appointment, such as

the condition that he must remain on probation pending the passing of certain examination.

¹ [(A) A Probationer Trainee: means a person appointed through direct recruitment against a clear vacancy in the cadre of service and placed under training on fixed remuneration for a period of two years or extended period, if any.]

1. Inserted vide order No.RVPN/AS/F&R/ESR/F.(1)/D.548 dated 19.5.06 (F&R-316)

(xxiv) 'Special Pay' means an addition in the nature of pay, to the emoluments of a post or of an employee granted in consideration of:

- (a) Specially arduous nature of duties, or
- (b) a specific addition to work or responsibility.

(xxv) 'Sphere of duty' means the area to which normal duties of an employee are confined.

(xxvi) 'Subsistence grant' means a monthly grant to an employee who is suspended from service for any misconduct or dereliction of duty and who is not in receipt of pay or leave salary.

(xxvii) 'Substantive pay' means the pay other than special pay, personal pay or emoluments classed as pay to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

(xxviii) 'Temporary post' means a post created temporarily for a specified period which may be extended from time to time.

(xxix) 'Temporary employee' means an employee who has been engaged for work on a temporary post or is employed on a temporary basis against a permanent post.

(xxx) 'Time scale' means pay which subject to any condition prescribed in these Regulations rises by periodical increments from a minimum to a maximum.

Time scales are said to be identical if the minimum, maximum, the period of increment and the rate of increment of the time scale are identical.

A post is said to be on the same time scale as another post on a time scale if the two time scales are identical and the post fall within a cadre, such cadre having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in a category or in an establishment so that the pay of the holder of any particular post is determined by his position in the cadre and not by the fact that he holds that post.

(xxxi) 'Transfer' means the movement of an employee from one headquarter station in which he is employed to another such station either:

- (a) to take up the duties of a new post, or
- (b) in consequence of a change of his headquarters.

It has been observed that employees are transferred /posted to work at a place different from the place of their posting against which they draw their pay. Such employees claim House Rent Allowance and City Compensatory Allowance etc. which would have not otherwise been admissible to them.

Posts are created at a particular place keeping in view the administrative as well as public convenience and also looking to the nature of duties to be performed by an employee. The head quarter of an employee should, therefore, remain at a place where the post has been created by the competent authority or at any place within the area of work. If in the public interest or on account of administrative reasons, it is necessary to utilise the services of an employee outside the jurisdiction of the post against which pay and allowances are drawn, such employees may be treated as on tour within the meaning of the Rajasthan TA. Rules. If his services are required at such place for longer duration, the post must be transferred to that place by obtaining orders of the authority competent to create or transfer a post.

It has been decided that in future, the above instruction should be strictly followed and orders of the competent authority should invariably be obtained where any departure is to be made. The Circle Accounts Officers will not make payment of salaries of an employee posted to a place different from the place where the post exists.

The existing employees may be posted to the place where their pay and allowances are charged. If for administrative reasons it is not possible, orders of the Nigam may be obtained within three months from the date of issue of these orders.

(xxxii) 'Act' means the Electricity Act, 2003 unless specified otherwise.

CHAPTER-II **General Conditions of Service**

4. Classification of Employees:

Subject to any modifications that the Nigam may decide from time to time, the employees of the Nigam shall be classified as follows:-

- | | |
|------------------------|--|
| ¹ [Class- I | All Officers, running in the Pay Band-3 and whose Grade Pay is Rs. 6600/- and above or those specifically classed as such by the Nigam. |
| Class- II | All Officers, running in the Pay Band-3 and whose Grade Pay is Rs. 5400/- and above but less than Rs. 6600/- or those specifically classed as such by the Nigam. |
| Class-III | All employees not included in Class I, II or IV |
| Class-IV | All employees holding posts enumerated in appendix-II to these Regulations and other employees of similar level, and such other employees as the Nigam may from time to time determine.] |

1. 'Rs.3000/-' and 'Rs.2200/-' were substituted for 'Rs.2540/-' and 'Rs.1720/-' vide order No.17 dated 19.2.90. Further, Rs.10000/-' and 'Rs.8000/-' were substituted for 'Rs.3000/-' and 'Rs.2200/-' vide order No. RSEB/F&R/F./D. 45 dated 15.06.98 effective from 01.09.96. Further, Regulation 4 was substituted vide order No. RVPN/AAO/F&R/F.1 (Pt.II)/D. 429 dated 17.2.2011(RVPN F&R No. 718).

5. Age:

A candidate for direct recruitment to any post must have attained the age of 18 years and must not have attained the age of ¹[35] years on the first day of January next following the last date fixed for receipt of applications except where otherwise prescribed in other regulations.

Provided:

- i) that the maximum age limit for women candidate or a candidate belonging to SC or ST shall be deemed to have been raised further by five years. There shall be no age limit for recruitment to service of the Nigam in case of widows and divorced women.
 - ii) the upper age limit in the case of women candidate will be relaxed by 5 years for the post of Assistant Personnel Officer.
 - iii) the upper age limit in the case of women candidate dependent on permanently disabled Nigam's employee shall be 35 Years.
 - iv) that there shall be no restriction as to age in one service or cadre for a candidate already serving in connection with the affairs of the Nigam who is appointed to another service or cadre by direct recruitment or special selection in a substantive or temporary capacity having been appointed prior to his attaining the age of 31 years.
 - v) that the upper age limit for the ex-service personnel and the reservists, namely, the Defence Service Personnel transferred to the reserve, shall be 50 years.
 - (vi) that there shall be no age limit in case of persons repatriated from East African Countries of Kenya, Tanganyika, Uganda and Zanzibar.
 - vii) that the upper age limit mentioned above shall not apply in the case of an ex-prisoner, who had served under the Nigam on a substantive basis on any post before his conviction and was eligible for appointment under the regulations.
 - viii) that in the case of other ex-prisoners, the upper age limit mentioned above, shall be relaxed by a period equal to the terms of imprisonment served by him provided he was not over age before his conviction and was eligible for appointment under the regulations.
- ² [ix) that where the upper age limit for the post/posts has been prescribed as 31 years or less than 31 years, the same shall be relaxed up to two years in case of the candidates belonging to the other Backward classes.]
1. (Age 35 in place of 33 substituted vide order No. 502 dated 29.05.2004)
 2. (Inserted vide order No. RSEB/F&R/F./D. 40 dated 5.6.99)
- x) that the upper age limit may be relaxed by the Chairman and Managing Director in exceptional cases of experienced and qualified persons.

Exception : The maximum for entry into Nigam service shall be "33 years" instead of

"31 years" during the period from 30.6.1998 to 29.6.2000. This exception was inserted vide order No.RSEB/F&R/F.8(7) D/71 dated 25.8.98 and deleted vide order No. RSEB/F&R/F.8 (7)/D.4 dated 18.01.99.

Decision No. 1

(Method to Change Name)

A Nigam's employee wishing to adopt a new name or to effect any modification in his existing name should be asked to adopt the change formally by a deed changing his name. In order that the execution of the documents may not be in doubt, it is necessary that it should be attested by two witnesses preferably those known to the Head of Department/Office in which the Nigam's employee is serving. A specimen of the deed form is given below. The execution of the deed should be followed by publication of the change in a prominent local newspaper as well as in the Rajasthan Rajpatra, publication being undertaken by the employee at his own expenses in both cases. For the publication of the advertisement in Rajasthan Rajpatra, the employee should be directed to approach the Superintendent, Government Central Press, Jaipur through proper channel.

It is only after the formalities described in the foregoing paragraph have been complied with and satisfactory evidence of identity and execution of the documents adduced by the employee that the adoption of the new name or change in the existing name should be recognised officially and entries in Nigam's records, as may be necessary, be amended accordingly. True copies of the relevant documents should be retained in the personal file of the employee and the Financial Advisor & Controller of Accounts and also to the Secretary (Admn.), CPF Trust, Jaipur be informed accordingly.

However the cases of change of Surname requested by a female employee after marriage should ordinarily be disposed of at Secretary (Admn.)'s level.

FORM OF DEED CHANGING A NAME /SURNAME

By this deed. I the undersigned. AB.C. (New name) of etc.now lately called AC. (old name), employed as.....(Designation of the post held at the time by the Nigam employee concerned) at.....place where employed in the office/department ofRVPN do hereby:

1. For and on behalf of myself and my wife and children and remoter issue wholly renounce, relinquish and abandon the use of my former name, AC. surname of C. (only) and in place thereof do assume from the date thereof name AB.C. the surname of B.C. and so that I and my wife and children and remoter issue may hereafter be called, known and distinguished not by my former surname of C (only) but by my assumed surname of B.C.

2. For the purpose of evidencing such my determination declare that I shall at all times hereafter in all records, deeds, writings and in all proceedings, dealings and transactions as well private as public and upon all occasions whatsoever use and sign AB.C. as name and B.C. as my surname in place of and in substitution for my former name AC. and surname of C. (only).

3. Expressly, authorise and request all persons at all times hereafter to designate and address me and my wife and children and remoter issue by such assumed name AB.C. surname of B.C. accordingly.

IN WITNESS WHEREOF I have hereunto subscribed my former and adopted names of AC. and AB.C. and affixed my seal thisday of

Signed
ABC.

Sealed & delivered by the
above named formerly AC.
in the presence of _____

A.C.
A.B.C.

Witnesses:

- 1.
- 2.

6. ¹[Probation on first appointment to Nigam's service:

All the persons entering the service by direct recruitment against clear vacancy shall be placed as "Probationer Trainee" for a period of two years and one year in the case of promotion.

Provided that any period after such appointment during which a person has been on deputation on a corresponding or higher post shall count towards the period of probation.

During the period of probation specified above, each probationer trainee may be required to pass such Departmental Examination and to undergo such training as the Nigam may, from time to time, specify.]

1 Substituted vide order No.RVPN/AS/GAD/F&R/F./D. 229 dated 28.02.06 (F&R-307)

7. Probation on promotion:

An employee promoted to a higher post shall be treated as on probation in the higher post for a period of one year unless a longer period is prescribed in any case. He shall be liable to be reverted without notice at any time during the period of probation, and on the expiry of the period of probation, if not confirmed in the higher post.

Provided that such of them as have previous to their appointment by promotion officiated temporarily on a post encadred in the service, may be permitted by the Chairman and Managing Director where Nigam is the appointing authority, otherwise by the appointing authority to count such officiating or temporary service towards the period of probation upto a maximum of 6 months.

Provided that the Chairman and Managing Director may waive the period of probation in case of an employee who has been satisfactorily working on adhoc/temporary capacity for a period of 2 years or more on the post to which he is promoted on the basis of recommendation of a duly constituted selection committee.

¹ [7 A. Exclusion of the period of suspension from the period of probation:

Where, on or after the date of commencement of this regulation, an employee remains in suspension during the whole or any part of the period of probation, such period of suspension shall be excluded in computing the period of probation, prescribed by regulation 7.]

1. Inserted vide order No.RSEB/F&R/F.5(19)/D.40 dated 7.5.1993.

8. Medical Certificate of Fitness:

Except as provided in these Regulations every employee shall at the time of appointment or within six months from the date of appointment, as the appointing authority may decide produce a medical certificate of his health in the form given below and from the medical authority specified in Regulation 9. The medical certificate must be affixed to the first pay bill of an employee, except or as otherwise ordered by the appointing authority..

**FORM OF MEDICAL CERTIFICATE OF FITNESS FOR RVPN EMPLOYEES
(Refer Regulation 8)**

HEALTH CERTIFICATE

1. I do hereby certify that I have examineda candidate for employment asin RRVPN. and cannot discover that he has any disease, constitutional weakness or bodily infirmity, except
2. I do not consider this a disqualification for employment in RRVPN. The candidate's age is, according to his own statementyears and by appearance aboutyears.
3. I have further to certify to the following findings on medical examination by me.
4.
 1. Height ft inch.
 2. Weight lbs
 3. Vision (whether the vision is corrected by glass or not should be clearly mentioned)

	Right Eye:	Left Eye
Distant		
Near		
 4. Urine colourAlbumin present
 - Sugar present Specific Gravity
 5. B.P. Readings
DiastolicSystolic.....
 6. Condition of heart

Signature or left hand thumb
Impression of the candidate.

Signature with
Designation of the Medical Officer

Place of Examination:
Date:

9. Medical Authority for Certificate of Fitness:

- i) The certificate prescribed in Regulation 8 should be signed by a Medical Officer of and above the rank of the Distt. Medical Officer of the District in which headquarters of the employee are situated or any other medical officer approved by the Nigam.

Provided that:-

- (a) In the case of a woman candidate the appointing authority may accept a certificate signed by an registered woman medical practitioner.
 - (b) In the case of candidate to be appointed on a post at a rate of pay not exceeding Rs. 50/- per month the appointing authority may accept a certificate signed by a medical graduate or licentiate, in Govt. Medical service or by any other medical graduate or licentiate.
- ii) The fees for the Medical examination by the medical officer in Government service at the rates prescribed by Rajasthan State Government, if billed for, will be reimbursed to the candidate if initially paid by him provided he is declared fit for appointment. No travelling expenses shall be paid for undergoing medical examination.

10. Exemption from Production of Medical Certificate:

The following classes of employee are exempted from the production of a medical certificate:-

- i) An employee appointed in a temporary vacancy of less than six month's duration and who is not eligible for permanent appointment.
- ii) A retired Government Servant re-employed within six months of retirement.

The Nigam may in individual cases dispense with the production of a Medical Certificate.

11. The post on which lien is held:

Unless his lien suspended under Regulation 12 or transferred under Regulation 14 an employee holding substantively a permanent post retains a lien on that post.

- a) While performing the duties of that post;
- b) While on foreign service or holding a temporary post, or officiating in another post;
- c) During joining time on transfer to another post, unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;
- d) While on leave and
- e) While under suspension.

12. Suspension of lien:

- (a) The Nigam shall suspend the lien of an employee on a permanent post which he holds substantively if he is appointed in a substantive capacity:

- i) to a tenure post; or
- ii) to a permanent post outside the cadre on which he is borne.
- iii) provisionally to a post on which another employee would hold a lien, had his lien not been suspended under this Regulation.

- (b) The Nigam may, at their option, suspend the lien of an employee on a post which he holds

substantively if he is transferred to foreign service or, in circumstances not covered by (a) of this regulation, is transferred, whether in a substantive or officiating capacity to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post, on which he holds a lien for a period of not less than three years.

- (c) Notwithstanding anything contained in clause (a) or (b) of this Regulation, an employee's lien on a tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post his lien on the tenure post must be terminated.
- (d) If an employee's lien on a post is suspended under clause (a) or (b) of this Regulation the post may be filled substantively and the employee appointed to hold it substantively shall acquire a lien on it, provided that the arrangement shall be reversed as soon as the suspended lien revives.

Note: When a post is filled substantively under this clause, the appointment will be termed a provisional appointment, the employee concerned will hold a provisional lien on the post; and that lien be liable to suspension under clause (a) or (b) of this regulation.

- (e) Revival of suspended lien: An employee's lien which has been suspended under clause (a) of this Regulation shall revive as soon as he ceases to hold a post of the nature specified in sub-clause (i), (ii) or (iii), of that clause.
- (f) An employee's lien which has been suspended under clause (b) of this Regulation shall revive as soon as he ceases to be on deputation out of India, on foreign service or to hold a post in another cadre, provided that suspended lien shall not revive because the employee takes leave if there is reason to believe that he will on return from leave, continue to be on deputation out of India or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in sub-clause (i), (ii) or (iii) of clause (a).

Note:- When it is known that an employee on transfer to a post outside his cadre is due to retire on superannuation within three years of his transfer, his lien on the permanent post cannot be suspended.

13. Termination of Lien:

- (a) An employee's lien on a post may in no circumstances be terminated, even with his consent if the result will be to leave him without a lien or a suspended lien upon permanent post.
- (b) An employee's lien on a post stands terminated on his acquiring a lien on a permanent post (whether under Nigam or Central/State Government) outside the cadre on which he is borne.

¹ [Clarification: - Procedure to be followed when a permanent Government servant is absorbed/directly appointed by the foreign employer.

It is clarified that Regulation 13 of the Employees Service Regulations, 1964, applies so long as the Nigam employee remains in Nigam service. If a Nigam's employee is confirmed in

another post under Nigam, then obtaining consent of the Nigam employee to terminate his/her lien is necessary. Such consent is not necessary in cases where the Nigam employee ceases to be in Nigam employ. In cases where Nigam employee is absorbed in foreign service in public interest/ appointed in foreign service by direct recruitment, then the Nigam employee would be asked to resign his/her appointment under the Nigam with effect from the date of such absorption/direct appointment and the lien will stand automatically terminated with the cessation of Nigam service.]

1. (Clarification inserted vide order No.RVPN/AS/GAD/F&R/F.1/D. 802 dated 27.09.07 (F&R-440).

14. Transfer of Lien:

Subject to the provisions of Regulation 15 Nigam may transfer to another permanent post in the same cadre, the lien of an employee who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.

15. Transfers:

- (a) An employee may be transferred from one post to another equivalent post of the same category within or outside the sphere of duty or place of employment, under the orders of the competent authority, provided that except:
 - (i) on account of inefficiency or misbehavior, or
 - (ii) on his written request, an employee shall not be transferred substantively to, or, except in a case covered by Regulation 37 appointed to officiate in, a post carrying less pay than the pay of the permanent post on which he holds a lien or could hold a lien had his lien not been suspended under Regulation 12.
- (b) Nothing contained in clause (a) of this Regulation or in clause (xiv) of Regulation 3 shall operate to prevent the re-transfer of an employee to a post on which he would hold a lien, had it not been suspended in accordance with the provision of clause (a) of Regulation 12.

16. Notice for quitting service:

An employee shall not leave or discontinue the service in the Nigam without first giving one month's notice in writing to the authority competent to make appointment to the post he is holding at the time of his intention to leave or discontinue the service.

² [Provided that such notice may be waived in part or in full by the Chairman and Managing Director at its discretion.

2. (This para has been substituted vide order No. RVPN/AS/GAD/F&R/F.1/D.299 dated 18.04.07 (F&R-390)

Note: The Chairman and Managing Director is authorised to decide the cases of resignation of the officers in whose cases the Nigam is the appointing authority.

Regulation 16 of RVPN Employees Service Regulations, 1964, provides that the employee

shall not leave or discontinue his service without first giving notice in writing to the authority competent to make appointment to the post he is holding at the time of his intention to leave or discontinue his services. Under the said regulations an employee is required to give one month notice (*), if he resigns the Nigam's service. In case of default the incumbent is liable to pay the salary for the notice period falling short of one month.

Instances have come to the notice where the employees desire to be relieved within short period of 24 hours on payment of requisite amount of notice period. It becomes very difficult for appointing authority to relieve them within such short period of 24 hours as the arrangement of reliever within such short period is not possible. It is also very difficult to ascertain outstanding dues against such employees from respective offices. The matter has, therefore, been examined very carefully and it has been considered that retention of unwilling worker shall not be in the interest of the Nigam's work. It is possible that whenever an employee desires to resign with such short notice the appointing authority shall not accept the resignation but ask him to submit no dues certificate before he could be relieved. The resignation shall however be accepted on submission of no dues certificate by the incumbent.

In case of breach by an employee of the provisions of this regulation, he shall be liable to pay to the Nigam as compensation a sum equal to his salary for the period of notice required to him, which sum may be deducted from any moneys due to him.

Note: For the purpose of Regulation 16 and 17, salary includes the employee's pay, personal pay and special pay and the dearness allowance, of the post held at the time of quitting the service and does not include any other allowance.

1. [16 (A)]

- (i) - An employee appointed as 'Probationer-Trainee' shall not leave or discontinue his training/service or take up another employment during the period of 'Probation-Training' as well as within one year after completion of Probation-Training and during any other training period as well as after completion of such training, within a minimum period of 1 year if such training period is for a period exceeding 3 months but upto 6 months and within 2 years, if it exceeds 6 months.

Provided that in case of breach of these provisions by any employee, he shall be liable to pay all emoluments paid to him, including the expenses incurred by RVPN on such training(s), subject to the maximum of Rs. 1,50,000/- (Rupees One lac fifty thousand) only (excluding the amount paid to him by way of traveling and daily allowance under the relevant regulations) and any other amount that may be due to RVPN, together with interest @ 12% per annum from the date of demand to the date of payment in lump-sum.

- (ii) After completion of 3 years service, including the period as 'Probationer-Trainee' an employee may leave or discontinue from services of RVPN by giving three month's notice in writing to the Appointing Authority of the post he is holding at the time of his intention to leave or discontinue the service.

However, in case of breach of these provisions by any employee, he shall be liable to pay the amount of salary for the notice period falling short of 3 months as

compensation to RVPN.

- (iii) Every employee will have to bring a surety of a Gazetted employee of Central/State Government or RVPN, wherein it shall have to be mentioned that in case the employee appointed by RVPN, leaves services of RVPN without making compliance of conditions as stipulated above, that gazetted officer of Government of Rajasthan or RVPN shall pay compensation, as above to RVPN.

Notwithstanding anything contained in sub-regulations (i) and (ii), the concerned Appointing Authority may waive such notice period in part or in full at its discretion.”]

1. **(16 (A) inserted vide order No. RVPN/AS/GAD/F&R/F.1/D.335 dated 28.04.07 (F&R-399)**

1. [Note: The condition of refund of amount as per Regulation 16(A) of the Employee Service Regulations and the bond executed by the candidates can be relaxed by the Chairman and Managing Director in those cases where a person is working in one of the five State Power Companies namely, RVPN, RVUN, Jaipur Discom, Ajmer Discom and Jodhpur Discom and due to appointment of spouse in any one of the aforesaid companies, he/she wants to shift to that Company. In any other case, no such relaxation shall be granted.]

1. **Note inserted vide order No. 1642 dated 30.10.08(F&R-561).**

17. Refund of payment made during training period:

Where an employee on appointment to a post, is required to undergo training for any specified period before he assumes independent charge of that post, such employee shall, if he resigns or takes up another employment during the period of such training or within two years after the completion thereof, refund to the Nigam the emoluments paid to him during the period of such training together with other expenses incurred by Nigam on such training but excluding the amounts paid to him by way of travelling and daily allowance under the relevant Regulation.

Provided that no such refund shall be required to be made if the training imparted to the employee is in the opinion of the Nigam, likely to prove useful in the new appointment also under the Nigam.

18. Age of Retirement:

Regulation No. 18 was substituted vide order No. RSEB/F&R/F.8(7)/D. 71 dated 25.8.98 and amendments made vide No. RSEB/F&R/F. 5(17)/D. 89 dated 29.12.99)

- (1) ²{Except as otherwise provided in these Regulations the date of compulsory retirement of Nigam employee would be the afternoon of the last day of the month in which he attains the age of ¹[60] years. Provided that the employees who have covered the age of 58 years or will attain the age of 58 years on or before 1 Nov. 99 shall be compulsorily retire on 31 Mar. 99.}

1. **(Superannuation age enhanced from 58 to 60 vide order No. 502 dated 29.05.04)**

and action was ratified vide order No. RVPN/AS/GAD/F&R/F.1 /D. 565 dated 17.6.04)

Regulation 18 (10 substituted vide order No. 4 dated 18.1.1999.

(2) (i) A Nigam employee covered under sub-regulations 1 & 2 whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years if the date of birth of Nigam employee is other than first of the month he shall retire from service in the afternoon of the last day of that month.

(ii) In case the last day of the month happens to be a closed holiday, even the Nigam employee should formally relinquish charge of the office in the afternoon of that day.

(3) **Retirement on completion of ² [15] years qualifying service:**

(a) At any time after a Nigam employee has completed fifteen years qualifying service, he may, by giving notice of not less than 3 months in writing to the Appointing Authority, retire from service. **(20 years for employees appointed as Probationer Trainees)**

2. 15 in case of 20 years has been substituted vide order No. RSEB/F&R/F. 5(17)/D. 89 dated 29.12.99

(b) The notice of voluntary retirement given under clause (a) above shall require acceptance by the appointing authority.

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall automatically become effective from the date of expiry of the said period.

Explanation - A notice of voluntary retirement given after the completion of fifteen years qualifying service will require acceptance by the appointing authority. Such acceptance may be generally given in all cases except that the appointing authority shall withhold permission to retire a Nigam employee.

(i) who is under suspension

(ii) In whose case the disciplinary proceedings are pending or contemplated for the imposition of a major penalty and the disciplinary authority having regard to the circumstances of the case, is of the view that such disciplinary proceedings might result in imposition of the penalty of removal or dismissal from service

(iii) in whose case prosecution is contemplated or may have been launched in a court of law.

¹. [In such cases, if it is proposed to accept the notice of voluntary retirement, approval of the Board of Directors in the cases where the Chairman and Managing Director is appointing authority and in other cases approval of the Chairman and Managing Director should be obtained. Even where the notice of voluntary retirement given by the Nigam employee requires acceptance by the appointing authority, the Nigam employee giving notice may presume acceptance and the retirement shall be effective in terms of the notice unless the competent authority issues an order to the contrary before the expiry of the period of notice.]

1. (Amended vide order No. RSEB/F&R/F. 5(17)/D. 89 dated 29.12.99)

- (c) ². [(i) An employee referred to in Sub-clause (a) may make a request in writing to the appointing authority to accept notice of voluntary retirement of less than three months giving reasons thereof

(ii) On receipt of a request under Sub-clause (i) above, the appointing authority subject to the provision of Sub-clause (b) may consider such request for the curtailment of the period of notice of 3 months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of 3 months.]

2. **(Amended vide order No. RSEB/F&R/F. 5(17)/D, 89 dated 29.12.99)**

In case a Nigam employee seeks voluntary retirement under Regulation 18(3) of the RVPN Employees Service Regulations, 1964 with a view to contest any election to Parliament/State Assembly/Municipalities/Panchayati Raj Institutions, he may be retired by the competent authority under Regulation 18(3) of RVPN Employees Service Regulations, 1964, immediately without prejudice to the right of Nigam going into the genuineness of the reasons and verification of the qualifying service rendered and the period of notice prescribed under Regulation 18(3) (a) of RVPN Employees Service Regulations, 1964 shall in such cases be deemed to have been waived as a matter of course.

- (d) 3. [A Nigam employee, who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority, can make a request to withdraw the notice during its currency and he may continue in service. In such cases, it will be obligatory on the appointing authority to accept the request of withdrawing the notice of voluntary retirement of the Nigam employee. In cases, where the appointing authority has already issued the order for acceptance of voluntary retirement from the intended date of the Nigam employee, such an order shall be cancelled by the appointing authority forthwith i.e. before the intended date of voluntary retirement.]

3. **Substituted vide order No. RVPN/AS/GAD/F&R/1(pt-II)/D.12 dated 06.11.2009(F&R-617)**

- (e) This sub-regulation shall not apply to a Nigam employee who retires from Nigam's service for being absorbed permanently in an autonomous body or a State Govt. or a Public Sector Undertaking to which he is on deputation at the time of seeking voluntary retirement.

- (f) If a Nigam employee seeks retirement under this sub-regulation while he is on leave not due, without returning to duty, the retirement, shall take effect from the date of commencement of the leave not due and the leave salary paid in respect of such leave shall be recovered from him

- (g) A Nigam employee who gives notice of voluntary retirement under clause (a) of sub-regulation (3) shall satisfy himself by means of a reference to a appointing authority who is competent to retire him to the effect that he has, in fact completed ¹ [15]years qualifying service. **(20 years for employees appointed as Probationer Trainees).**

1. **15 in case of 20 years has been substituted vide order No. RSEB/F&R/F. 5(17)/D. 89 dated 29.12.99**

- (h) A Nigam employee who seeks voluntary retirement under clause (a) of this sub-regulation shall be entitled to a weightage of five years qualifying service which

shall be given as an addition to the qualifying service actually rendered by him.

- (i) the grant of weightage upto 5 yrs shall, however, be subject to the following conditions -

(A) In respect of Nigam's Employees governed by RSEB Employees Pension Regulations, 1988 including the employees of the erstwhile E&M Department & RSEB who have opted the Nigam's service with pensionary benefits

(i) The service qualifying for retirement benefit shall be enhanced by the addition of five years service in such case. The resultant length of service after taking into account the addition of notional service shall in no case be more than 33 years qualifying service or the qualifying service, the Nigam employee concerned could have counted had he retired on attainment of superannuation age, whichever is less

(ii) In cases where qualifying service is increased under (i) above, the emoluments which the Nigam employee was receiving immediately before the date of retirement shall be taken into account for the purpose of calculation of pension and gratuity and the increase not exceeding 5 years in his qualifying service under (i) above shall not entitle him to any notional fixation of pay for the purposes of calculating pension and gratuity.

(B) In respect of Nigam employees governed by the Contributory Provident Fund Scheme including employees of erstwhile E&M Department & RSEB, who have opted the Nigam's service with the CPF benefits including gratuity

(i) Nigam's contribution shall be enhanced by the amount which would have accrued by the addition of 5 years notional service

(ii) The notional contribution shall be added on the basis of the amount of subscription made immediately before the date of retirement without subscribing to the fund on or after the date of his retirement.

(iii) The resultant increase in the aforesaid manner shall in no case be more than the contribution which could have been credited in his provident fund account had he retired on completing 33 yrs qualifying service or on attainment of the age of superannuation, whichever is less

(iv) The weightage of 5 years notional qualifying service shall not be admissible in case of those Nigam employees who are prematurely retired by the Nigam in public interest under Regulation 18 (4)

2. **[NOTE: - In respect of employees appointed as Probationer Trainee: - the existing figure and words "15 years" wherever appearing in this Regulation, shall be treated as "20 years" ; and the provisions under Regulation 18 (3) (h) shall not be applicable.]**

2. **Note inserted vide order No. RVPN/AS/GAD/F&R/F.1(II)/D.335 dated 28.04.07 (F&R-399)**

- (4) **Compulsory retirement on completion of ¹ [15] years qualifying service.**

1. **substituted vide order No. RSEB/F&R/F. 5(17)/D. 89 dated 29.12.99)**

- (a) (i) At any time after a Nigam employee has completed 15 years qualifying service or has attained the age of 50 yrs, whichever is earlier, the authority competent to retire, upon having been satisfied that the concerned Nigam employee has on account of his indolence or doubtful integrity or incompetence to discharge official duties or insufficiency in the performance of official duties, has lost his utility, may require the concerned Nigam employee to retire in public interest. In case of such retirement, the Nigam employee shall be entitled to retiring pension/CPF benefits/gratuity as the case may be.
- ² [(ii) The Nigam shall have the right to retire an employee in public interest if he/she has more than three children on or after 15.10.2003.

Provided that where an employee has only two children from the earlier delivery(ies), but more than one child are born out of a single subsequent delivery, the children so born shall be deemed to be one entity while counting the total number of children.

Provided further that provisions of this rule shall not be applicable to a PSU employee who has more than three children so long as the number of children he/she has on 14.10.2003 does not increase.]

2. **(4) (a) (ii) was inserted vide order No. RVPN/AS/GAD/F&R/F.2/.D 251 dated 6.3.03 (F&R-107)**

- (b) In such a case the competent authority shall give a notice in writing to a Nigam employee at least 3 months before the date on which he is required to retire in the public interest or three months pay and allowances in lieu of such notice.

³ [In case of compulsory retirement of employee who has more than three children on or after 15.10.2003, if the order of retirement could not be served to the employee within 15 days from the date of its issue, the appointing authority shall publish the order of such retirement in Rajasthan Rajpatra and the employee shall be deemed to have retired on such publication.]

3. **Inserted vide order No. RVPN/AS/GAD/F&R/F.2/.D 251 dated 6.3.03 (F&R-107)**

Note -

(1) The Nigam has the absolute right to retire a Nigam employee in public interest. This right is intended to be exercised against a Nigam employee whose efficiency is impaired but against whom it is not desirable to make formal charges of inefficiency or who has ceased to be fully efficient but not to such a degree as to warrant his retirement on compassionate allowance. It is not the intention to use this rule as a financial weapon that is to say that the provision should be used only in the case of Nigam employees who are considered unfit for retention on personal as opposed to financial grounds.

(2) Participation in or abetting in any form of strike by a Nigam employee shall also be deemed to be included in "public interest" for the purpose of clause (a) of Sub regulation (4) of Regulation 18.

(3) The authority competent to retire a Nigam employee under Sub-Regulation 18 (4) shall follow the procedure as prescribed or as may be prescribed by the Nigam from time to time where a Nigam employee is retired under this Regulation for reasons of impairment of efficient or doubtful integrity.

(4) Compulsory retirement under this regulation does not attract the provisions of clause (2) of Article 311 of the Constitution of India because such retirement is not conceived as a penalty but as the exercise of a right reserved to Nigam of retiring a Nigam employee after he has served for a certain length of time. Accordingly, the procedure laid down in the RSEB (CCA) Regulations for formal proceedings against Nigam employees before removing them from service is not meant to apply to such cases.

(5) This regulation shall be applicable to all the employees of the Nigam including those employees of the erstwhile RSEB who have explicitly or impliedly become Nigam's employees with one or the other benefits.

(6) In the case of employees of the Nigam including those employees of the erstwhile E&M Department who have explicitly or impliedly become Nigam employees with one or the other benefits, the term 'qualifying service' used herein above shall mean the qualifying service rendered under erstwhile RSEB and/or Nigam as the case may be, as per provisions of the relevant Regulations prevailing on the date of retirement.

(7) When the appropriate authority has come to the conclusion that a Nigam employee may be prematurely retired, the three months' notice referred to in clause (b) of Sub-regulation (4) may be given before the Nigam employee attains the age of 50 years or has completed 15 years of service, as the case maybe. But the retirement should take place after the Nigam employee has attained the relevant age or has completed 15 years of service, as the case may be.

(8) Orders requiring a Nigam employee to retire after completing 15 years qualifying service should, as a rule, not be issued until after the fact that the Nigam employee has indeed completed, or would be completing on the date of retirement, qualifying service of 15 years, has been verified by the competent authority in consultation with the senior most Accounts Authority.

(9) While computing the notice period of not less than three months referred to in clause (b) of Sub-regulation (4), the date of service of the notice and the date of its expiry shall be excluded. The date of premature retirement of a Nigam employee should be on the forenoon of the day (which should be treated as a non working day) following the day of expiry of the notice.

(10) It is necessary to give three month's notice in writing to a Nigam employee under suspension who is proposed to be retired under Clause (a) of ' Sub-regulation (3)

CLARIFICATIONS:

1. **On orders of premature retirement:**

(i) **Date of retirement:** The orders regarding retirement on the last day of the month will not apply to the cases of premature retirement,

(ii) **Grant of leave due/admissible:** Leave due and admissible may be allowed if applied for by the Nigam employee during the period of notice.

- (iii) **Undrawn increment:** As the employee continues to be in service during the period of notice, he will be entitled to increment falling due during the period under Regulation 30 of RVPN Employees Service Regulations, 1964. If on the other hand, the official is retired by giving pay and allowances in lieu of the notice period, no increment will be admissible as the retirement in such cases takes immediate effect.
2. **On admissibility of pension in addition to pay and allowances (inclusive of H.R.A. & C.C.A.) for the entire period in lieu of Notice:**
- (i) As the employee concerned will retire immediately on payment of pay and allowances in lieu of notice, he would be entitled to pension from the date of such retirement and the pension shall not be deferred till after the expiry of the period of three months for which he is paid pay and allowances. In other words, pay and allowances given in lieu of the notice period would be in addition to pension for the said period.
- (ii) The Nigam employees who are given pay and allowances in lieu of the notice period are entitled to House Rent Allowance and City Compensatory Allowance at the rates at which they were drawing the allowance immediately before retirement.
- (iii) The payment of pay and allowances in lieu of the notice period should be made simultaneously with the order of retirement.
- (iv) The pay and allowances to be given in lieu of notice period would be the pay and allowances drawn by him immediately before retirement. Since he would stand retired immediately on payment of pay and allowances, the question of taking into consideration the date of increment does not arise.
- (v) The three month's pay and allowances given in lieu of notice are salary and therefore income tax is required to be deducted at source.
- (vi) The Nigam employees would stand retired immediately on payment of three month's pay and allowances in lieu of the notice period and will not be in service thereafter. Therefore, the question of counting any period subsequent to the date of such retirement for purposes of retiral benefits e.g. pension & gratuity etc. does not arise.
3. **On treatment of intervening period and admissibility of pay and allowances, in case of reinstatement:**
- (i) If, in any case, it is decided to reinstate a prematurely retired Nigam employee in a service after considering his representation in accordance with the laid down instructions, the period intervening between the date of premature retirement and the date of retirement may be regulated by the authority ordering reinstatement as duty or as leave or dies-non, as the case may be, taking into account the merits of each case.
- (ii) In the case of an employee who had been prematurely retired on grounds of inefficiency and by the time the competent authority to consider representations against

such premature retirement came to the conclusion that premature retirement was unjustified, the date of superannuation of the employee has already arrived or had passed, in such cases the authorities empowered to pass final orders may at their discretion reinstate the superannuated Nigam employee notionally with effect from the date of compulsory retirement and treat the period up to the date of superannuation as duty, leave or dies-non as may be considered appropriate by the competent authority.

(iii) Where prematurely retire Nigam employee is reinstated in service and the intervening period beginning from the date of retirement and ending with date immediately before his rejoining duty has been treated as on duty in accordance with the provisions of item (i) or (ii) above or as a result of the orders of the competent Court, the pay and allowances shall be regulated under Regulation 41 of RVPN Employees Service Regulations, 1964. The pay and allowances shall be paid at the rates in force from time to time as if he has not been prematurely retired from service.

On reinstatement of the Nigam employee, he shall be required to refund three month's notice pay, amount of Retirement / Death Gratuity, pension including commutation and dearness relief on pension or CPF benefits and gratuity etc. if already paid to him, in one lump sum within a period of one month from the date of rejoining the duty otherwise interest shall be charged @ 12% per annum. With regard to the refund of G.P.F. money or his own share of CPF, if any, received by him, the action shall be taken in accordance with the relevant G.P.F./C.P.F. Regulation.

For making payment of pay and allowances for the intervening period, the Nigam employee would be required to furnish a certificate to the effect that he was not engaged in any other employment, business, profession or vocation. In case he was engaged in any employment etc. he will be paid an amount equal to the amount by which his earning during the intervening period fell short of the amount of pay and allowances now becoming due and payable. The details of refund should be mentioned in the Service Book giving reference of pay bills and voucher number and date under the attested signature of the Head of Office.

Powers to retire Nigam employees after attaining the age of 50 years or after completion of ¹ [15] years qualifying service:

Class I & II Officers	Board	Full powers
Class III employees	Chairman and Managing Director	Full powers
Class IV employees	Head of Deptt.	Full powers

No.RSEB/F&R/F.8(7)/D.23

Dated 22.2.1985

ORDER

Sub: Compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964.

According to regulation 18(4) of RSEB Employees Service Regulations, 1964 the Board may after giving an employee three months previous notice in writing require a Board employee to retire from the service on the date on which he completes 25 years of service or any other date thereafter to be specified in the notice.

2. The procedure for dealing with the cases regarding compulsory retirement of Board's employees who have completed 25 years of service or 50 years of age was prescribed vide Board's Circular No.RSEB/Rules/F.8(7)/D.87 dated 10.9.75.

The provisions contained in Regulation 18(4) were not being adhered to strictly as a result to position was brought to the notice of the Board. The Board considered the matter in its 341st meeting held on 29.1.85 and approved the detailed procedure/guidelines and formation to committees for screening of the Board's employees.

3. Accordingly, in supersession of the earlier instructions the following instructions are issued to implement the provisions of compulsory retirement as envisaged in Regulation 18(4) of Employees Service Regulations.

4. The Secretary, RSEB shall draw a categorywise list of all categories of Board's employees belonging to class I & II who shall be completing 25 years of service or attaining 50 years of age on 1st April of each year. Such list shall be prepared by proceeding 1st Jan. of every year.

5. These lists shall contain information regarding the name, post of appointment /post held, date of first appointment and date of birth.

6. These lists with the confidential reports of the preceding 7 years shall be put up by the Secretary to the committee constituted for the purpose as mentioned in succeeding paras.

7. Each Head of the Department shall draw a list of Board's employees belonging to class III who shall complete 25 years of service or attain 50 years of age on 1st April of each year. Such list shall be prepared by preceding 1st Jan. of each year. This list will contain the information under the following headings:

- i) S.No.
- ii) Name of official
- iii) Substantive/officiating post held
- iv) Date of birth
- v) Date of entry into Govt./Board's service
- vi) Date of completion of 25 years service
- vii) Date of attaining the age of 50 years
- viii) Date of superannuation's per regulation

8. Each head of Department will also collect the confidential reports in respect of each employee whose name is included in the list.

9. The Secretary/Head of Department will ensure that the confidential reports of all the previous years are available in each case. The missing confidential reports, if any, may be obtained from the reporting and reviewing officers concerned to bring the record upto date.

10. The Secretary/Head of Department shall also collect and keep ready the personal files and enquiry cases, if any, against the employees. A special report regarding the work and conduct of the employee included in the lists mentioned above may be obtained from officer who is of the rank of reviewing officer for writing and processing of CRs. The special reports may also be put up before the committee consisting of the following members, for perusal and

screening.

11. (a) Committee for class I non-technical /technical services with initial pay of Rs.2100/- and above.

1. Chairman, RSEB, Jaipur
2. Energy Secretary, Govt. of Rajasthan, Jaipur.

(b) Committee for class I and II technical services excluding those mentioned at (a)

1. Member (Tech.)/Member (Generation), RSEB, Jaipur to be nominated by Chairman.
2. One of the Chief Engineers/Addl. Chief Engineers to be nominated by the Chairman, RSEB Jaipur.
3. Secretary, RSEB, Jaipur.

(c) Committee for class I and II non-technical service excluding those mentioned at (a)

1. Member (F&A), RSEB, Jaipur.
2. Secretary, RSEB, Jaipur.
3. Joint Secretary (Admn.), RSEB, Jaipur.

(d) Committee for class III non-technical services and such supervisory technical posts as are not covered under the definition of 'Workmen'.

1. Secretary, RSEB, Jaipur.
2. Financial advisor and COA, RSEB, Jaipur.
3. One of the Chief Engineers/Addl. Chief Engineers to be nominated by the Chairman, RSEB, Jaipur.

12. The committee mentioned above shall draw up the list of employees who should be compulsorily retired. The committee should prepare minutes of its proceedings and give comprehensive reasons for arriving at the conclusions.

13. While the screening committee has to exercise its own discretion to arrive at its own conclusions following guidelines are given as suggestions:

- i) Compulsory retirement should be in public interest.
- ii) It should be considered whether the efficiency of the employees who is recommended for compulsory retirement is impaired which has resulted in the employees becoming a dead wood. It include those employees whose mental and physical facilities have impaired.
- iii) Employees whose integrity is doubtful can also be considered for compulsory retirement.
- iv) Those employees who took part in illegal strikes can also be considered for compulsory retirement in public interest.

- v) The impairment of efficiency, doubtful integrity or any other activity which forms the basis of compulsory retirement should be reflected from the personal files, confidential reports or special reports or any other record of employees.

14. The committee should be careful not to introduce extraneous matters while screening the cases.

15. The compulsory retirement should not be based on pending disciplinary proceedings or suspension. However, in cases where disciplinary proceedings are pending against an employee or an employee is under suspension the case of his compulsory retirement can be considered if it is based on record other than the record relating to departmental enquiry or suspension.

16. The lists of employees of class I,II and III as prepared by the committee shall be furnished by the committee to the secretary, RSEB. The secretary shall submit these lists alongwith CRs of the employees to the Board in respect of class I,II and III employees where Board is the appointing authority. After Board's approval, Secretary shall issue orders of compulsory retirement under regulation 18(4) of the RSEB Employees Service Regulations, 1964.

17. The recommendation of the committee at para 11(d) together with the CRs and other records of the employee recommended for retirement shall be submitted for approval to the Member (T&D) in case of supervisory technical posts as are not covered under the definition of workmen and to the Member (F&A) for class III non-technical services. After the approval of the Member (T&D) or Member (F&A) as the case may be is received, orders for compulsory retirement under regulation 18(4) will be issued by the respective Head of Departments. A specimen copy of the order is enclosed at Appendix 'A'.

18. An employee should be retire after paying him three months pay in lieu of notice. The term 'pay' will include dearness allowance, house rent allowance and city compensatory allowance. In other words, he will get the same emoluments for the notice period for which he was entitled immediately before his retirement. The order of retirement should accompany the cheque of the amount in lieu of three months notice.

19. In cases of Board's employees under suspension and /or employees who are facing serious charges which may warrant their removal dismissal should be examined very closely as compulsory retirement in such cases may amount to favour for such employees. Compulsory retirement under regulation 18(4) is not punitive and entitles an employee to all the benefits of retirement. Besides, the subject matter of disciplinary proceedings should not form the basis of compulsory retirement. Compulsory retirement should be based on record other than the record relating to disciplinary proceedings.

20. Such of Board's employees who are under suspension and are proposed to be retired under regulation 18(4) of RSEB ESR on the basis of their other record, should be served with three months notice only instead of pay and allowances. During the three months notice period such Board employees would continue to draw only the subsistence allowance being drawn by them at the time the three months notice is served upon them.

21. The Secretary in respect of those employees for which Board is the appointing authority and the Heads of Department in respect of other employees shall maintain a register containing the following headings in respect of those employees who are recommended for

compulsory retirement by the committee:

- i) S.No.
- ii) Name of the official
- iii) Designation
- iv) Office to which he belongs
- v) Date of birth
- vi) Date of commencement of service
- vii) Date of completion of 25 years service
- viii) Date of attaining the age of 50 years
- ix) Date of superannuation
- x) Recommendations of the committee
- xi) Decision as finally communicated by the Chairman
- xii) Remarks

22. As this procedure has the effect of curtailing the working life of officials fairly advanced in life, it should be used with due care and caution.

By Order

(A.K.Pandey)
Secretary

(Appendix-'A' to the Board's Order No.23 dated 22.2.1985)

Rajasthan State Electricity Board

No.

Dated:

NOTICE

To,
Shri _____
_____.

Where as Shrihas completed 25 years of service/has attained 50 years of age.

Now, therefore, in pursuance of sub-regulation (4) of Regulation 18 of the Rajasthan State Electricity Board Employees Service Regulation,1964, the Board hereby gives notice to said Shri/Smt/Missrequiring him/her to retire from the service on the expiry of three calendar months from the date of service of this notice on him/her.

By order of the Board

Secretary

Rajasthan State Electricity Board

No.

Dated:

NOTICE

To
Shri _____,

Whereas Shrihas completed 25 years of service/has attained 50 years of age.

Now, therefore, in pursuance of the delegation made under sub-regulation (4) of Regulation 18 of the Rajasthan State Electricity Board Employees service Regulation, 1964 vide Board's order No. RSEB/the undersigned hereby gives notice to said Shri/SmtfMissrequiring him to retire from the service on the expiry of three calendar months from the date of service of this notice on him/her.

By order

Signature of the Head of the Department

Rajasthan State Electricity Board

No.

Dated

ORDER

To
Shri _____,

Whereas Shri/.....has completed 25 years of service/has attained 50 years of age.

Now, therefore, in pursuance of the delegation made under sub-regulation (4) of Regulation 18 of the RSEB Employees service Regulation,1964 Vide order nodated..... the undersigned hereby requires Shriby payment to him/her of three months pay and allowances in lieu of three months previous notice, to retire from the service on the date of receipt of this order him/her.

A bank cheque of the amount of Rsin respect of three months pay and allowances in lieu of three months previous notice is enclosed.

By order

Head of Department

Rajasthan State Electricity Board

No.

Dated:

ORDER

To
Shri

Whereas Shri... ..has completed 25 years of service/has attained 50 years of age.

Now, therefore, in pursuance of sub-regulation (4) of Regulation 18 of RSEB Employees Service Regulation, 1964 the Rajasthan State Electricity Board hereby requires Shri/Smt/ Miss..... by payment to him of three months pay and allowances in lieu of three months previous notice, to retire from the service on the date of receipt of this order by him/her.

A bank cheque of the amount of Rsin respect to three months pay and allowances in lieu of three months previous notice is enclosed.

By order of the Board
Secretary

Rajasthan State Electricity Board
(Finance and Rules Section)

No. RSEB/F&R/F.8(7)/D.14

Jaipur Dt.10.5.96.

ORDER

Sub: Compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964.

The Board while prescribing the procedure for dealing with the case regarding compulsory retirement of Board's employees who have completed 25 years of service or attained 50 years of age, had also constituted committees vide order No. RSEB/ F&R /F.8(7)/D.23 dated 22-2-85, to examine the case of such employees for premature / compulsory retirement and make recommendations for consideration by the Appointing Authority .

With a view to tone up the administration and make it more responsive the Board in its 447th meeting held on 18-1-96. Has decided to constitute Screening Committees and to reconstitute the Review Committees for different levels/ categories of employees in place of the exiting committees as under:-

Category of Officers	Screening Committee	Review Committee
(1)	(2)	(3)
A) Officers above the rank of S.E. and other officers in the equivalent pay scales.	1. One of the Whole Time Members to be nominated by the Chairman. 2. Secretary, RSEB	1. Chairman 2. Energy Secretary 3. Whole Time Members
B) Officers of the rank of Asstt Engineer and above but	1. Secretary, RSEB. 2. One of the C.E. / Head of	1. Chairman. 2. Whole Time Members

Upto S.E. & other officers in equivalent pay scales.	Deptt. concerned to be nominated by the Chairman.	
C) Other Non-Tech. Employees not included in (A) & (B) above	1. Secretary, RSEB. 2. Addl. Secretary/Joint Secretary/ Head of Deptt. to be nominated by the Chairman	1. Member (F&A). 2. Member (T&D) or Member (Gen.) to be nominated by the Chairman.
D) JEN I & II (all branches).& other Tech employees not included in (A) & (B) above and also not covered under the definition of workman'	1. Secretary, RSEB. 2. One of the Addl. Dy. Chief Engineer to be nominated by the Chairman.	1. Member (T&D). 2. Member (Gen.). 3. One of the C.Es. to be nominated by the Chairman.

The Screening Committee will prepare comprehensive brief of Board's employees for consideration by the Review Committee. The Review Committee will consider the brief prepared by the Screening Committee examine the service records and A.C.R. Dossiers and finalise its recommendations for compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations,1964.

Consequent to above changes, the revised procedure / guidelines in supersession to previous instructions issued vide order No. RSEB / F&R / F.8 (7) /dated 22.2.85 are being issued separately.

By Order
Sd/-
Secretary

No. RSEB/Rules/F.8(7)/D.107

Jaipur Dt.22.10.75.

CIRCULAR

Sub: Compulsory retirement of class IV employees under Regulation 18 (4) of RSEB Employees Service Regulations 1964.

The Rajasthan State Electricity Board has recently taken a decision in its 223rd meeting held on 27.8.75 that Board may after giving three months previous notice in writing require a Board employee to retire from the service on a date on which he completes 25 years of service or attain the age of 50 years or any other date thereafter to be specified in the notice.

In pursuance of this decision detailed procedure for dealing the cases regarding compulsory retirement of Board's employees of class I,II and III have been prescribed vide circular No. No. RSEB/Rules/F.8(7)/D.87 dated 10/11-9-1975. A similar procedure therefore for dealing the cases of retirement of class -IV employees of the Board is prescribed to be followed by the authorities concerned.

Immediately on issue of this order and on the 1st March of every year thereafter each appointing authorities shall draw a list in advance of class IV employees who shall complete 25

years of service or attain 50 years of age by the next 31st December under the headings indicated below:

- i) S. No.
- ii) Name and Father's Name
- iii) Post held
- iv) Date of birth
- v) Date of entry into Board's service.
- vi) Date of completion of 25 years service
- vii) Date of attaining the age of 50 years.
- viii) Date of superannuation.

The Appointing Authority will collect their Personal Files, Service Rolls/ Service Books, Enquiry cases, if any make recommendations to the head of Departments in respect of such class IV employees who are no more considered fit to be retained in service and are proposed to be retired compulsorily. Unless the record is particularly adverse, a class IV employee should not be recommended for compulsory retirement if he is due to be superannuated by the end of next calendar year.

The decision of the Head of Department on the recommendation of the appointing authority will be final. Where the Head of Department happens to be the Appointing Authority recommendation together with the record will be submitted to Secretary who will convey the final decision.

As soon as the decision of the Head of Department/ Secretary is received, orders for compulsory retirement will be issued by the Appointing Authority as per specimen (copy enclosed).

The Appointing Authority should ensure that no body is retired before completion of 25 years of service or attaining the age of 50 years.

The employees should be retired after paying him 3 months pay in lieu of notice. A cheque of the amount equivalent to pay and allowances, he would have been entitled to in case three months notice had been given to him should accompany the order of retirement.

The case of the Board's employees under suspension who are facing serious charges (warranting their removal or dismissal) which have a fair chance of being proved should be examined very closely before action under Regulation 18(4) of the RSEB Employees Service Regulations 1964, is taken since compulsory retirement in such cases may amount to conferring unwarranted and unjustified favour on such employees.

Action under Regulation 18(4) of the RSEB Employees Service Regulations, 1964 may be taken against Board's employees under suspension whose delinquency is not grave enough to warrant their dismissal or removal from service, or of the delinquency is grave enough but the charges can not be proved for want of evidence etc.

Such of the Board's employees under suspensions as are proposed to be retired under Regulation 18(4) of the RESB Employees Service Regulations, 1964 should be served with three months notice only instead of paying them 3 months pay and allowances.

During the 3 months notice period such Board employees would continue to draw only the subsistence allowance being drawn by them at the time months notice is served upon them.

The Head of Department/ Appointing Authorities shall maintain a register containing the following heading in respect of those who are retired compulsorily:

- i) S. No.
- ii) Name and Father's Name
- iii) Post held
- iv) Office to which he belongs
- v) Date of birth
- vi) Date of commencement of service
- vii) Date of completion of 25 years service
- viii) Date of attaining the age of 50 years
- ix) Date of superannuation
- x) Recommendation of the Appointing Authority
- xi) Decision of the Head of Department /Secretary
- xii) No. and date of order compulsory retirement issued by the Appointing Authority
- xiii) The effective date of retirement
- xiv) Remarks

As this procedure has the effect of curtailing the working life of official fairly advanced in life it should be used with great care and caution.

FORM OF ORDER
RAJASTHAN STATE ELECTRICITY BOARD
ORDER

No.

Dated:

To

Shri.....

Whereas Shri..... has completed 25 years of service /has attained the age of 50 years.

Now, therefore in pursuance of sub-regulation (4) of Regulation 18 of RSEB Employees Service Regulation, 1964 the undersigned hereby requires Shri..... By payment to him of three months pay and allowances in lieu of three months previous notice, to retire from the service on the date of receipt of this order by him.

A bank draft of the amount of Rs..... in respect of three months pay and allowances in lieu of three months previous notice is enclosed.

Encl. As above.

By order

Signature of Appointing
Authority

FORM OF NOTICE
RAJASTHAN STATE ELECTRICITY BOARD
NOTICE

No.

Dated:

To

Shri.....

Whereas Shri..... has completed 25 years of service /has attained 50 years of age.

Now, therefore in pursuance of sub-regulation (4) of Regulation 18 of RSEB Employees Service Regulation, 1964 the undersigned hereby gives notice to said Shri..... requiring him to retire from the service on the expiry of three calendar months from the date of service of this notice on him.

By order

Signature of Appointing Authority

RAJASTHAN STATE ELECTRICITY BOARD
(FINANCE AND RULES SECTION)

No. RSEB/F&R/F.8(7)/D.35

Jaipur Dt.31.10.87.

ORDER

Sub: Compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964.

In continuation to circular letter No. RSEB/F&R/F.8(7)D.23 dated 22nd February 1985 the Board in its 366th meeting held on 16th October 1987, decided to make provision for appeal / review against the retirement orders under Regulation 18(4) of the RSEB Employees Services Regulations 1964 passed by the Appointing Authority. If any employee feels aggrieved of the order under Regulation 18(4) *ibid*, He can make an appeal within seven days of the receipt of such order of retirement to the Review committee/ Appellate committee. The Review Committee Appellate Committee shall consist of the following:-

A. REVIEW COMMITTEE.

- | | |
|-------------------------------------|-------|
| i) In respect of Class I officers | Board |
| ii) In respect of Class II officers | Board |

B. APPELLATE COMMITTEE.

- | | |
|---|-------------------------------------|
| i) In respect of Ministerial and such
Technical posts as are not covered
under the definition of workmen. | Chairman |
| ii) In respect of Class IV employees | Secretary & Chief
Engineer (O&M) |

The concerned committee shall look into the proceedings of the screening Committee and might call the record if it feels there is a prima facie case for consideration. In case the Review Committee / Appellate Committee, as the case may be is satisfied that the orders passed for retirement under Regulation 18(4) of the RSEB ESR - 1964, are not in confirmation with the instruction and intentions of the Board or that excuses have been committed in enforcing the provisions out lined under the instruction, the committee may set- aside the retirement orders.

By Order
Sd/-
(D.C. Jain)
Secretary

19. Pension:

The services of the employees of the Nigam shall be ¹[non-pensionable]. Provided that such employees whose services were transferred to the Nigam vide Rajasthan Government's order No. P.W. (B) Deptt. No. 13/OSD/Elec. Bd. 57 dated 12.2.58 and who were holding permanent posts in substantive capacity on the 1st July 1957, shall have a right to opt for pension. In respect of such employees who opt for pension will be regulated by the pension Rules of the Rajasthan Government as amended from time to time, pension allocation may be done between the board and the Government in accordance with the principles as may be mutually agreed upon.

1. (Non-pensionable vide order No.RRVPN/CCOA/Secy./CPF-Trust/F.42/D. 1005 dated 22.9.05 (F&R-291)

20. Contributory Provident Fund:

The employees of the Nigam, except those who have opted for pension under proviso to Regulation 19, shall be required to subscribe to the Contributory Provident Fund in accordance with the Rules of the Fund as prescribed by the Nigam.

21. Ceasing to be in Service:

If an employee absents himself for more than 8 consecutive days without leave he shall be deemed to have left the services of the Nigam without notice, thereby terminating his contract of service.

Provided that if the concerned employee proves to the satisfaction of the competent authority that his absence was on account of sickness or other valid reasons, the competent authority at his own discretion may convert his absence into leave due or leave without pay.

**CHAPTER-III
PAY AND ALLOWANCES**

22. Scale of pay:

The scale of pay applicable to the employees of the Nigam shall be as may be fixed by the

Nigam from time to time.

¹ [22 (A) Provided further that a probationer trainee will receive a fixed remuneration at such rates as may be prescribed by the Nigam from time to time and on completion of period of probation, minimum pay of the scale of the post shall be allowed under this regulation, from the day following the day of successful completion of the period of probation.

Provided further also that a Nigam employee, who is already in regular service of the Nigam, if appointed as probationer trainee for a period of two years on or after 20.01.06 shall be allowed pay in his/her own pay scale of the previous post or fixed remuneration at such rates as may be prescribed by the Nigam from time to time, whichever may be beneficial to him/her and after successful completion of period of probationer trainee, his/her pay shall be fixed in the pay scale of the new post as per provisions of the regulations. For in service candidates selected by way of limited direct recruitment quota, the term pay would be interpreted to mean the existing pay and all admissible allowances they have already been receiving in their original cadre. During their probation they shall be entitled to annual grade increments.]

1. **Inserted vide order No.RVPN/AS/GAD/F&R/ESR/F.1/D.548 dated 19.5.06 (F&R 316)**

23. Commencement and Cessation:

Subject to any exceptions specifically made in these Regulations, an employee shall begin to draw pay and allowances to his tenure of a post with effect from the date he assumes duties of that post and shall cease to draw them as soon as he ceases to discharge these duties, if the charge is transferred in the forenoon of that date. If the charge is transferred in the afternoon, he begins to draw or cease to draw them, as the case may be, from the following date.

Provided that in the case of an employee who dies while in service, salary shall cease to be payable with effect from the day following that on which death occurs.

24. Regulation of initial substantive pay on appointment to a post on a time scale:

(1) A Nigam employee already serving in one service or cadre who is appointed to another service or cadre by direct recruitment or special selection (including transfer other than by deputation from one service or cadre to another) and not by promotion according to service regulations shall have his initial pay fixed as follows:-

Category	Last pay on old Post	Initial pay on new Post
(a)	Substantive on a permanent post and not officiating on a higher post.	Persons in category (a) shall have their pay fixed in the manner stated below:- (i) If the maximum of the scale of the new post is higher than the maximum of the scale of old post, then pay shall be fixed at the stage of the time scale of the new post next above the last substantive pay in the old post.

		<p>(ii) If the maximum of the scale of the new post is equal to the maximum of the scale of old post, then pay shall be fixed at the stage of the time scale of the new post which is equal to his last substantive pay on the old post, or if there is no such stage the stage next below that pay plus personal pay equal to the difference.</p> <p>(iii) If the maximum of the scale of the new post is lower than the maximum of the scale of the old post, then the pay shall be fixed at the stage which he would have been entitled to as if the period of service rendered against the new post, subject to the condition that the pay fixed shall be restricted to the pay last drawn in the old post</p> <p>(iv) If minimum pay on the new post is higher than pay admissible under clause (i) and (ii) above, then minimum pay shall be allowed.</p>
(b)	<p>(i) Substantive on a lower post but officiating on a higher permanent or temporary post in the same service or cadre provided that such officiation was in accordance with the provisions of service regulations relating to promotion promulgated under section 79 (c) of the Electricity (Supply) Act, 1948.</p> <p>(ii) Temporary on a permanent or temporary post provided that appointment was made by direct recruitment, promotion, special selection, emergency recruitment or as a part of initial constitution of a service or cadre in accordance with provisions of the service regulations relating to recruitment, promotion and initial constitution promulgated under section 79 (c) of the Electricity (Supply) Act, 1948.</p> <p>iii) Temporary on a permanent or temporary post, provided that, if there are no Service Regulations promulgated under section 79 (c) of the Electricity (Supply) Act, 1948.</p>	<p>Persons covered by any paragraph in category (b) shall have their pay fixed in the manner stated below: -</p> <p>(i) If minimum pay of scale of the new post is equal to or higher than the last pay in the old post other than that held substantively then the minimum pay.</p> <p>(ii) If minimum pay of the scale of the new post is lower than last pay in the old post other than that held substantively, then pay shall be fixed at the stage of the time scale which is equal to his last pay in the old post or if there is no such stage, then next below that pay plus personal pay equal to the difference;</p> <p>Provided that if the maximum of the scale of the new post is lower than the maximum of the scale of the old post, then the pay shall be fixed at the stage which he would have been entitled to as if the period of service rendered on the old post would have been counted as rendered against the new post, subject to the condition that</p>

	<p>iv) Temporary on a permanent or temporary post, provided that appointment had been made in the process of absorption of persons declared 'Surplus' due to abolition of posts and that pay drawn on the abolished post was of the type described in paragraphs (a), b(i), b(ii) and b(iii) above.</p>	<p>the pay so fixed shall be restricted to the pay last drawn in the old post. Provided further that if fixation of pay on the basis the of pay admissible on substantive post in accordance with paragraph(a) (i) or (a) (ii) or a (iii) above is more advantageous, pay shall be fixed under the said clauses.</p>
(c)	<p>(i) Temporary on a permanent or temporary post, having been appointed adhoc without following the procedure laid down in the Service Regulations promulgated under section 79 (c) of the Electricity (Supply) Act, 1948.</p> <p>(ii) Temporary on a permanent or temporary post, having been appointed in the process of absorption of persons declared 'Surplus' due to abolition of post but pay drawn on the abolished post was not of the type described in paragraphs (a), (b)(i), (b)(ii) and (b) (iii) above.</p> <p>(iii) Temporary on a permanent or temporary post, appointment to which is not regulated by any Service Regulations promulgated under section 79 (c) of the Electricity (Supply) act, 1948.</p> <p>(iv) Temporary on a permanent or temporary post, other than of the type described in paragraphs (i) to (iii) above.</p>	<p>Persons covered by any paragraph in category (c) shall have pay fixed in the manner stated below: Minimum of the scale or at such higher stage as may be approved by the Nigam on recommendations of the selecting authority.</p>

2. Pay for the purpose of sub-Regulation (1) shall mean substantive pay, officiating pay and pay on temporary post and shall not include special pay.
3. When appointment to the new post is made at the request of the Nigam employee under Regulation 15 and the maximum pay in the scale of new post is lower than his last pay in the old post, he will draw that maximum of new post as initial pay.
- 4.(a) In respect of a Nigam employee whose initial pay is fixed under paragraph (a) (ii) (a) (iii) & b (ii) of sub-regulation-I of this Regulation, the service rendered on his previous post since drawal of last increment shall be counted for the purpose of grant of increment in the new post.

Exception: If a Nigam employee while in service as a probationer or on probation is appointed to a new post before completion of the prescribed period of probation satisfactorily, the period of service rendered on old post shall not be counted for this

purpose on the new post.

- (b) In cases other than (a) above, the next increment shall be allowed on completion of the full requisite qualifying service counting for increment under Regulation 30 of RVPN Employees service Regulations, 1964.

Note:

1. Reversion to a post in the ordinary cadre or service from a special post not included in it or a tenure post included in that cadre or reversion from a temporary post held substantively to a permanent does not constitute substantive appointment to the post for the purpose of this regulation.
2. For the purpose of fixation of initial pay under the provisions of this Regulation a Nigam employee who has been recruited/appointed on higher or equivalent post, while serving in the Nigam, shall be deemed to have become substantive on the date he completed probation period satisfactorily or completed two years of service, whichever is later, subject to the condition that no Departmental Enquiry/Preliminary Enquiry is contemplated or pending against him.
3. However, in cases covered by Note 2 above the period of service rendered on the old post shall not be taken into consideration for computation of nine, eighteen or twenty seven years of service for the purpose of granting selection grade.
4. When a Nigam employee is appointed to a higher post on the date on which his increment in the lower substantive post falls due, his substantive pay for the purpose of fixing his initial pay in higher post shall be inclusive of his increment accruing on that date.
5. Fixation of pay on appointment to a tenure post will be regulated under this regulation and not under provisions of Regulation 27.

1. [24(A) Pay during Probation

Where Service Regulations promulgated under section 79 (c) of the Electricity (Supply) Act, 1948 or orders and instructions of the Nigam provide for appointment on probation or as a probationer.]

² {No increments shall be allowed during the period of probation as well as during the period of probationer trainee, except in service candidates appointed under limited direct recruitment quota.}

1. **Substituted vide order No.RVPN/AS/GAD/F&R/F. /D. 229 dated 28.2.06 (F&R-307) for the following:**

2. **Substituted vide order No.RVPN/AS/GAD/F&R/ESR/F.1/D. 548 dated 19.5.06 (F&R-316) for No increments shall be allowed during the period of probation**

- ³ (ii) Provided that during probation training period the provisions of this regulation shall not be applicable. The Probationer-trainee shall be allowed pay in his/her

own pay scale of the previous post or fixed remuneration as per provisions of regulation 22. After successful completion of probation training his/her pay shall be fixed under the provisions of this regulation. For in service candidates by way of limited direct recruitment quota, the term pay would be interpreted to mean the existing pay and all admissible allowances they have already been receiving in their original cadre. During their probation they shall be entitled to annual grade increments.

3. **Inserted vide order No.RVPN/AS/GAD/F&R/ESR/F.1/D. 548 dated 19.5.06 (F&R-316)**

25. Regulation of initial officiating pay of an employee:

Subject to the provisions of Regulation 37 an employee who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, other than a tenure post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attached to the post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended.

Note:

1)Nigam may by order specify the circumstances under which officiating promotion in the ordinary line may be given to the employee working outside the cadre.

2)For the purpose of this Regulation, the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities, of greater importance, if the post, to which it is made, is on the same scale of pay as the permanent post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, or on a scale of pay identical therewith.

26. (1) Subject to the provisions of Regulations 25 and 28 an employee who is appointed to officiate in a post will draw the presumptive pay of that post.

(2) On an enhancement in the substantive pay, as a result of increment or otherwise the pay of such employees shall be refixed under sub-Rule (1) from the date of such enhancement as if he was appointed to officiate in that post on that date where such refixation is to his advantage.

(3) (A) Notwithstanding the provision contained in these Regulations, the pay of an employee whose promotion or appointment to a post is found to be or to have been erroneous shall be regulated in accordance with the general or special order issued by the Nigam in this behalf.

(B) Under the aforesaid new regulation the following decisions shall also be inserted which explain the procedure for cancellation of erroneous confirmation orders.

Board's Decision:

- (a) An order of confirmation which is contrary to the instruction relevant statutory/service rule/executive orders/administrative instruction may be cancelled straightway by competent authority. The effect of cancellation would be to put the employee concerned

in a position of never having been confirmed.

It would, however, be in consonance with the principles of natural justice that 'Show cause Notice' why the orders of confirmation should not be cancelled be given to the affected employee.

- (b) The following provisions shall govern the pay and increments of an employee whose promotion or appointment in a substantive or officiating capacity to a post is later found to be erroneous on the basis of fact:
1. The order of promotion or appointment of a Nigam Employee should be cancelled as soon as it is brought to the notice of appointing authority that such a promotion or appointment has resulted from a factual error and the concerned Nigam employee should immediately be brought on such cancellation to the position which he would have held but for the incorrect order of promotion or appointment.
 2. In the case of an employee who has been erroneously promoted or appointed to a post in a substantive capacity the procedure prescribed in the above paragraph for deconfirming the employee should be followed and only the employee should be brought down to the position which he would have held but for his erroneous promotion/appointment by issue of order as mentioned above. Service rendered by the employee on that post to which he has wrongly been promoted /appointed as a result of the error should not be reckoned for the purpose of increment or for any other purpose in that grade/post to which he would not normally be entitled but for the erroneous promotion/appointment.
 3. Any consequential promotion or appointment of other employee made on the basis of incorrect promotion/appointment of particular employee will also be regarded as erroneous and such cases also will be regulated on the lines indicated in the preceding paragraph.
 4. Except where the appointing authority is the Chairman and Managing Director the question as to whether promotion/appointment of a particular employee to a post was erroneous or not, should be decided by an authority next higher than the appointing authority. In case where the appointing authority is Chief Engineer/Secretary/Chief Controller of Accounts the final decision shall rest with the Chairman and Managing Director, where the appointing authority is the Chairman and Managing Director, the final decision shall rest with the Nigam.
27. (1) When an employee holding post in a substantive, temporary or officiating capacity is promoted to a post in the regular line of promotion in his service, cadre or department, in a substantive temporary or officiating capacity, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing the actual pay drawn by him in the lower post by one increment at the stage at which such pay is drawn provided:
- (i) that where a Nigam's employee is immediately before his promotion to a higher post, drawing pay at the maximum of the time scale of the lower post, his initial pay in the time scale of the higher post, shall be fixed at the stage next above the pay notionally arrived at by increasing the pay drawn at the maximum by him

in the lower post by an amount equivalent to the last increment in the lower post.

- (ii) that provisions of this Regulation shall not apply in cases enumerated in the schedule below. In the case of the employees enumerated in schedule, the pay shall be fixed in accordance with the provisions contained in Regulation 24 of the RVPN ESR, 1964.

(2) Where the pay of an employee is fixed under sub-regulation (1) above the next increment shall be granted on the date he would have drawn his increment, had he continued in the lower post, provided that where the pay is fixed at the minimum of the time scale and the pay so fixed exceeds the pay drawn in the lower post by the amount equal to the amount of the next increment in the lower post plus the first amount of increment in the higher post, the next increment shall be admissible after completion of service for the full increment period counting for increment under Regulation 29 of the RVPN ESR, 1964.

(3) Notwithstanding anything contained in these regulations where a Nigam employee has drawn a special pay granted for higher responsibilities or specially arduous nature of duties under Regulation 3(xxiv) (a) continuously for a period of not less than two years and his pay, on promotion or appointment to a post carrying duties and responsibilities of greater importance than those attached to the post held by him, under the provisions of other regulations, plus special pay attached to the higher posts, if any, works out to less than the pay of the post held by him, the difference shall be allowed as personal pay to be absorbed in future increments.

Note: - (1) In respect of employees whose pay scales are linked with Govt. pay scales.

In case of 1st promotion of an existing Nigam Employee whose services were transferred from erstwhile RSEB as defined in the rule 5(2) of R.C.S (RPS) Rules, 1983 and 1987 made on or after 1.9.81 and 1.9.86, as the case may be, under the recruitment regulations, the provisions contained in the note appearing below the fixation tables appended to Schedule-III of the aforesaid rules shall be applicable for the purpose of grant of notional increment admissible in the pay scale for the lower post only (i.e. not on the higher post) in the case of fixation of pay under Regulation 27(i) of RVPN Employees Service Regulations, 1964.

The provisions of Note 1 above shall not be applicable in case of 1st promotion of an employee who has been newly appointed to a post/service on or after 1.9.81 and 1.9.86, as the case may be, because he is neither an existing Nigam employee as is defined in rule 5(2) of the R.C.S.(RPS) Rules, 1983 and 1987 nor his pay will be fixed in accordance with the fixation tables appended to schedule-III of the aforesaid rules.

Note: - (2) In respect of employees covered under Nigam's pay scale No. 1 to 6.

In case of 1st promotion of an existing Nigam Employee as defined in the rule 5(2) of R.C.S(RPS) Rules, 1987 made on or after 1.9.86, as the case may be, under the recruitment regulations, the provisions contained in the note appearing below the fixation tables appended to Schedule-III of the aforesaid rules shall be applicable for the purpose of grant of notional increment admissible in the pay scale for the lower post only (i.e. not on the higher post) in the case of fixation of pay under Regulation 27(i) of RVPN Employees Service Regulations, 1964.

The provisions of Note 2 above shall not be applicable in case of 1st promotion of an employee who has been newly appointed to a post/service on or after 1.9.86, because he is neither an existing Nigam employee as is defined in rule 5(2) of the R.C.S.(RPS) Rules, 1987 nor his pay will be fixed in accordance with the fixation tables appended to schedule-III of the aforesaid rules.

Note:- (3) In respect of Nigam's employees who are granted selection grade under the provisions of order No.RSEB/F&R/F.16(3)/D.11 dated 6.3.1992

- (a) In case where a Nigam employee gets his regular promotion after getting the selection grade (identical to or lower than the pay scale of the promotion post) his pay shall be fixed in the pay scale of the promotion post at the equal stage and if there is no equal stage at the next higher stage.
- (b) In case where the selection grade (second or third) already granted to a Nigam employee is higher than the pay scale of the promotion post the Nigam employee shall continue to draw pay in the selection grade and his pay shall not be fixed in the pay scale of the promotion post.

No. RSEB/Rules/D.48

Dated: 20.6.1974

ORDER

Consequent upon introduction of Rule 26-A of the Rajasthan Service Rules, Regulation 27 of the RSEB Employees Service Regulations, 1964, Rajasthan Civil Services (Revised Pay) Rules, 1961 and New Pay Scales Rules, 1969, occasions have arisen where a Board employee's pay has been fixed at a lower stage than the pay of an employee junior to him, by application of any of the rules mentioned above. In order to examine and remove anomalies arising as a result of fixation of pay of senior/junior Board's employees, the subordinate authorities were requested vide order No. RSEB/A&F/F.1/ESR-1/Pt-II/63/D.65 dated 26.9.1970 to furnish information with full details regarding such cases duly supported by the final seniority list.

The matter has been examined de-novo and the Chairman in consultation with the Accounts and Finance Member is pleased to order that where a Nigam employee's pay was fixed at a lower stage than the pay of a Nigam employee, junior to him, by application of any of the aforesaid Rules, the pay of the senior employee may be stepped up to a figure equal to the pay as fixed for the junior Nigam employee. The stepping up should be done by the authority competent to make substantive appointment on the post held by the senior employee in consultation with the concerned Accounts Officer, w.e.f. the date the junior employee started getting more pay subject to the following conditions: -

- (i) The anomaly should arise directly as a result of introduction of the aforesaid rules and stepping up of pay should be done only in cases where the appointment /promotion of the junior employee is regular and in accordance with the provisions of the relevant service rules promulgated under Article 309 of the Constitution of India or Section 79 of the Electricity (Supply) Act, 1948 and not on adhoc basis.
- (ii) The junior and senior employee should belong to the same category or class of post serving under the same cadre controlling authority and drawing pay in the same scale before their respective promotions.
- (iii) Both the employees should be under the administrative control of one and same cadre controlling authority.

- (iv) The benefit under this decision will be allowed only when it is certified that there is no dispute about the inter-se-seniority of junior/senior employee and the seniority is not provisional.
 - (v) When the pay of the senior employee is stepped up under these orders on account of junior servants being promoted on adhoc basis, it may be done with this condition that if the junior employee's adhoc promotion is not converted into regular promotion according to the rules and he is reverted then from the date of reversion of the junior employee the pay of the senior employee would be re-fixed at the stage at which he would have drawn, had his pay not been stepped up.
- (2) The provisions contained in this order shall not be invoked to step up the pay of senior employee in the following cases.
- (a) Where the junior employee is holding the higher post during leave vacancy or a short term vacancy caused due to the holder of the higher post proceeding for training for a period not exceeding 120 days.
 - (b) Where the junior employee already draws higher rate of pay than the senior by virtue of grant of advance increment or grant of higher initial pay for processing higher qualifications or passing a prescribed examination or for any other reason not attributable to fixation of pay under Rule 26-A of R.S.R., Regulation 27 of the RSEB Employees Service Regulations, 1964 or under Revised pay scales, 1961 or New Pay Scales Rules, 1969.
 - (c) Where the junior employee holds a post in a different cadre and is appointed to another cadre/class of posts other than the cadre/class of posts to which the senior employee is already appointed. For example, if 'A' (Senior) LDC was promoted to the post of UDC and subsequently appointed as Accountant on or before the date on which 'B' (Junior) was promoted as UDC then there will be no comparison between the pay of the senior as Accountant and junior as UDC.
 - (d) Where the junior employee is allowed one advance increment in view of his prospective retirement within 10 years under rule 12 of the Rajasthan Civil Services (New pay scales) Rules, 1969.
- (3) The orders of re-fixing the pay of the senior officer in accordance with this decision shall be issued under rule 32 of the RSEB service Rules. The next increment of the senior employee will be drawn on completion of the full requisite qualifying service counting under Rule 31 ibid with effect from the date of re-fixation of pay.

This is subject to ratification by the Board.

(Ratified vide order No. RSEB/Rules/D.84 dated 29.10.74)

27 (A) Fixation of pay of work charged employees when brought on cadre post.

The following provisions shall regulate the fixation of pay of work charged employees in a time scale whether on consolidate monthly wage or on daily wage, when brought on cadre post.

1. The initial pay of an employee who has put in less than 2 years service on the date of appointment to the cadre post shall be fixed at the minimum of the time scale of the post to which he is appointed.
2. The initial pay of an employee who on the date of appointment to the cadre post, has rendered two years continuous service in the Nigam without any interruption shall be fixed in the time scale of the post to which he is appointed as under: -

- (a) If the monthly (daily wage multiplied by 30) after eliminating the element of dearness allowance and other allowances, is equal or more than the minimum of the time scale of the post to which the employee is appointed, the initial pay shall be fixed at the stage of the time scale next above such wage.
- (b) If the monthly wage (Daily wage multiplied by 30) after eliminating the element of dearness allowance and other allowances, is or more than the maximum of the time scale of the post to which the employee is appointed, the initial pay shall be fixed at the maximum of the time scale and the difference between the monthly wage worked out in aforesaid manner and the maximum of the time scale of the post shall be treated as personal pay to be absorbed in future increase of pay consequent upon the subsequent revision of the time scale of the said post.

Note: For purpose of this regulation an employee shall be deemed to have rendered two years continuous service if he has served in the Nigam for 605 days or more within a period of 24 calendar months preceding the date of appointing to the cadre post.

28. Power to fix officiating pay at a lower rate:

The appointing authority may fix the pay of an officiating employee to an amount less than that admissible under these Regulations.

29. Increments

Subject to the provisions of Regulation 24-A, 27, 29-A and 30, an increment shall ordinarily be drawn as a matter of course, unless, it is withheld by the authority empowered to withhold such increment in accordance with the relevant provisions of the Classification, Control and Appeal Rules. Any order withholding an increment shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

- 29-A.** Where an Efficiency Bar is prescribed in any time scale, the increment next above that bar shall not be given to an employee without specific sanction of the authority empowered to withhold increments. When an employee is allowed to cross an efficiency bar which has previously been enforced against him, he shall draw the pay in the time scale at such stage as the authority empowered to withhold increments may fix, provided that the pay so fixed shall not exceed the pay that he would have drawn had he not been stopped at the efficiency bar.

Note:

(I) On each occasion on which an employee is allowed to pass an efficiency bar which had previously been enforced against him, he should come on the time scale at such stage as the authority competent to declare the bar removed may fix for him, subject to the pay admissible according to his length of service.

(2) The cases of all employees held up at an efficiency bar should be reviewed annually with a view to determine whether the quality of their work has improved and generally, whether the defects for which they were stopped at the bar have been remedied to an extent sufficient to warrant the removal of the bar. If they are subsequently allowed to the bar it should not be a retrospective effect.

30. The following provisions prescribe the conditions on which service counts for

Increments in a time-scale:

(a) All duty in a post on a time-scale counts for increments in that time scale.

(b)(i) Service in another post other than a post carrying less pay referred to in clause (a) of Regulation 15, whether in a substantive or officiating capacity, service on deputation out of India and all leave including extra-ordinary leave taken on medical grounds shall count for increment in the time scale applicable to the post on which the Nigam servant holds a lien as well as in the time scale applicable to the post or posts if any, on which he would hold a lien had his lien not been suspended.

(ii) All leave including extra ordinary leave taken on medical ground and the period of deputation out of India shall count in the time scale applicable to a post in which a Nigam servant was officiating at the time he proceeded on leave or on deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India.

Provided that the Nigam may direct, by a general order or by special order relating to individual cases, that extraordinary leave shall count for increments under clauses (i) or (ii) if such leave is availed of for any of the following reasons:

(i) any cause beyond the Nigam employee's control:

(ii) Prosecution of higher scientific study beyond the stage of Master's degree in Science or Arts by any Nigam servant;

(iii) Prosecution of higher technical or scientific study beyond the stage of Bachelor's degree in Engineering Mines, Architecture, Agriculture, Veterinary Science, and Medicine.

(For procedure in regard to drawing of increment by (1) Class-I and II Nigam employee (2) Class-III & IV Nigam servant refer to Rule 162 & 196-198 of General Financial and Accounts Rules respectively.)

(c) The period of deputation out of India on full pay, the study leave or special leave granted under the order of the Nigam for studies abroad shall count for increment in the post in which the employee was officiating at the time of proceeding on deputation out of India, study leave or special leave subject to the condition that the employee would have so officiated in that post or a post on the same time-scale but for his proceeding on deputation, study leave or special leave.

(d) The period of extraordinary, leave without pay granted for prosecuting higher scientific and technical studies may be allowed by the Nigam to count for increment in the post in which the employee was officiating at the time of proceeding on extraordinary leave subject to the condition that the employee would have so officiated in that post or a post on the same time-scale but for proceeding on extraordinary leave

Provided that the study leave, special leave or extraordinary leave shall count for increment under sub clause (c) or (d) only if the employee had put in at least three year's service under the Nigam at the time of proceeding on such leave.

(e) If an employee while officiating in a post or holding a temporary post on a time scale of pay is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is reappointed to the lower post or is appointed or re-appointed to a post on the same time-scale of pay, counts for increments in the time scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower post is, however restricted to the period during which the employee would have officiated in the lower post but for his appointment to the higher post. This clause applies also to an employee who is not actually officiating in the lower post at the time of his appointment to the higher post but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

(f) Foreign service counts for increments in the time-scale applicable to:-

- (i) the post in Nigam's service on which the employee concerned holds a lien as well as the post or posts, if any on which he would hold a lien had his lien not been suspended.
- (ii) the post in Nigam's service in which the employee was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time-scale but for his going on foreign service; and
- (iii) any post to which he may receive officiating promotion under Regulation 59 for the duration of such promotion.

(g) Joining time counts for increment:-

- (i) If it is under clause (a) of Regulation 72 in the time scale applicable to the post on which an employee holds a lien or would hold a lien had his lien not been suspended, as well as in the time-scale applicable to the post, the pay of which is received by a employee during the period; and
- (ii) If it is under clause (b) of Regulation 72 in the time-scale applicable to the post/posts on which the last day of leave before commencement of the joining time, counts for increments.

No. RSEB/Rules/F&R/D.95

Dated: 3.12.74

NOTIFICATION

The Rajasthan State Electricity Board in its 209th meeting held on 30th October, 1974 decided to adopt the Government order No. F.1(31)FD(Gr.2)/74 dated 23rd July, 1974. Consequent upon the adoption of this order, it is hereby ordered that the increment of Board's employees may be admitted from the 1st of the month in which it would fall due under the operation of the normal rules and orders regulating increments.

The Board further resolved to adopt Government Clarification No. F.1(31) FD (Gr.2)/74 dated 18th September, 1974 (copy enclosed for guidance and ready reference).

This will be applicable with effect from 1.4.74.

GOVERNMENT OF RAJASTHAN
Finance (Gr.2) Deptt.

CLARIFICATION

No. F.1 (31) FD (GR.2)/74

Dated: Jaipur 18th September, 1974

Sub: - Regulation of increments on the 1st of month under Rajasthan Service Rules.

I am directed to invite a reference to this Department order No. F.1 (31) FD (GR.2)/74 dated: 23.7.74 on the subject mentioned above. Certain doubts have been raised in some quarters about the application of those orders. The following statement indicated the points of doubt and the clarification thereof.

	Points of doubts	Clarification
1.	How the increment will be regulated if the employees happens to be on leave on the first of the month.	An employee during leave draws leave salary and not duty pay. An increment accruing during leave cannot, therefore, be drawn during leave. The increment in such cases will be drawn from the date of resumption of duty on return from leave.
2.	How the increment will be regulated in cases in which there is postponement due to employee's proceeding on leave without pay which is not counted for increment.	The postponement of normal increment will be worked out as per existing rules and order. If the postponed increment falls on any date of a month it will be granted from the first of that month.
3.	When the date of appointment of an employee is 19.5.1974, can he be given increment on 1.5.1975 before completing 12 months service?	In the case of initial appointment accruing after 1.4.1974 it is inherent in the orders that the first increment will be drawn earlier before completing the normal incremental period of 12 months.
4.	Periods of service at the same stage count for increment. If by counting those broken periods the date of next increment falls on a date later than 1 st of the month whether the increment is to be allowed on the specific date when the employee completes one year service at the same stage or on the first of the month if the broken periods together become less than the complete year.	Increment will be payable from the first of the month in which next increment falls due after counting the broken periods equal to one year, provided the Govt. servant has also been holding the post from the first of that month to the date it falls due. In case he is not holding the post on first of the month, the increment will be granted from the date it falls due.
5.	How to regulate the grant of increment when the normal increment is withheld for specified period and the period of such penalty expires after 1 st of the month.	These orders will not apply to cases where increments are withheld as a measure of penalty. Increments in such cases, will be granted/restored from the date the penalty ceases.
6.	Advance increments are allowed on the date of passing certain examination, will these increments be allowed from the 1 st of the month in which these become due.	These orders relate to only drawal of normal increments in the prescribed scale and are not applicable to advance increment due to passing of certain examination. Such increments, if permissible, will be governed by the rules and orders.
7.	How the increment will be regulated in cases of promotion when next increment accrues during the same month.	These orders will not apply to such cases i.e. in such cases the increment will be granted from the date it falls due.

Sd/-
(S.C. Johari)
Dy. Secretary to Govt.

GOVERNMENT OF RAJASTHAN
Finance (Gr.2) Deptt.

CLARIFICATION

No. F.1 (31) FD (GR.2)/74

Dated: 20.08.75

Sub: - Regulation of increments on the 1st of the month under Rajasthan Service Rules.

References from some quarters are being received in Finance Department about the actual manner in which date of increment according to item No. 2 of Finance Department Clarification No. No. F.1 (31) FD (GR.2)/74 dated: 18.09.74 is to be fixed in cases where there is postponement of increment due to employee's being on leave without pay and the period of such leave is not to be counted for purpose of increment.

The matter was examined and it is clarified that for fixing the date of increment after 1.4.74 first due date of increment will be arrived at by adding the period of non-qualifying service with reference to the last date of increment in the previous year; then the individual will be granted the increment from the first of the month in which this due date of the increment falls. For deciding the date of increment next year, the first of the above month will be the normal date of increment with reference to which periods of non-qualifying service for the increment shall be added and the individual will be granted the increment from the first of the month in which this due date of increment falls. The position will be clear from the following illustration: -

ILLUSTRATION

1.	Date of last increment before issue of Finance Department order dated 23.7.1974 (effective from 1.4.1974)	30.08.1973
2.	Date of next increment under the normal Rules but for the period from 7.7.1974 to 19.9.74	30.08.1974
3.	Date of increment postponed by the above period of 13 days.	12.09.1974
4.	Actual date of increment advanced to the first of the month under the latest orders.	01.09.1974
5.	Next date of increment but for the period from 1.1.1975 to 25.1.1975	01.09.1975
6.	Date of increment after excluding the period of 25 days.	26.09.1975.
7.	Actual date of increment advanced to first of the month	01.09.1975
	Next due date of increments.	01.09.1976 and so on

In regard to item 7 of Finance Department order dated 18.9.1974 referred to above it is hereby clarified that whereas in the month and year of promotion, the increment will be allowed from a date other than the 1st of the month, but from next year onwards the increment will be brought over to the first of the month.

(Endorsed by the Board vide order No. RSEB/Rules/ESR/D.101 dated 27.9.75 for information and necessary action. This is in continuation to the Board's order No. RSEB/Rules/ESR/D.95 dated 3.12.1974).

MEMORANDUM

No F.1 (31)FD (Gr. 2)/74

Dated 23rd May, 1977

Sub: - Regulation of increments on the 1st of the month under Rajasthan Service Rules.

It has been laid down in the Finance Department order No. F.1(31)FD (Gr. 2)/74 dated 23.07.1974 and subsequent clarifications dated 18.09.74 and 20.08.75 that the increment of Govt. Servants may be admitted from the 1st of the month in which it falls due under the operation of the normal rules and orders regulating increments.

2. Frequent references are being received in this department as to how the date of increment is to be shown in the Service Book, increment certificate, fixation statements, on promotion etc. and whether it should be mentioned as first of the month or actual date of increment. Audit has expressed difficulty in verifying the date of increment in the relevant records without any specific indication.

3. To allay all doubts it is clarified that in accordance with the Finance Department order of even number dated 23.07.74 payment becoming due on the date of normal increment is admitted from 1st of the month under rules and orders regulating increments under RSR. The actual date of increment under rule 31 of RSR or other relevant rules or order regulating increment remains unchanged. Accordingly the actual date of increment shall be shown in all records, as only payment due to increment is made from 1st of the month.

4. In the Finance Department Clarification of even number dated 20.08.1975 the manner in which date of increment is to be regulated in cases of postponement of date of increment on account of Government Servant remaining on extra-ordinary leave was laid down. In view of the position of rules stated in para 3 above, the matter has been examined and it is further clarified that the due date of increment will be arrived at by adding the period of non-qualifying service with reference to last date of increment in the previous year and only the payment being due on normal date of increment under rule 31 of RSR, so arrived at will be admitted from 1st of the month in which it falls due. The following illustration will make the position clear: -

ILLUSTRATION

- | | |
|--|------------|
| 1. Date of last increment before issue of Finance Department Order dated 23.07.1974 (effective from 1.4.1974). | 30.08.73 |
| 2. Date of next normal increment under rules but for the period from 7.7.1974 to 19.7.1974. | 30.08.1974 |
| 3. Date of normal increment postponed by above period of 13 days. | 12.09.1974 |
| 4. Actual date from which payment of increment to be admitted
01.09.1974 | |
| 5. Next date of normal increment but for the period from 01.01.1975
to 25.01.1975 | 12.09.1975 |

- | | |
|--|--------------------------|
| 6. Date of normal increment after excluding the period of 25 days. | 07.10.1975 |
| 7. Actual date from which payment of increment to be admitted | 01.10.1975 |
| 8. Next due date of normal increment | 07.10.1975
& onwards. |

[Endorsed vide No. RSEB/F&R/F.5(17)/D.53 dated 16th June, 1977]

31. Reduction of personal pay:

Except when the authority sanctioning personal pay orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

32. Premature increments:

Nigam may at its discretion fix pay, grant increment or sanction an allowance, in individual cases, in a manner different from that provided in these Regulations, and also in cases not covered by Regulations, provided that such additional benefit will be given only in recognition of outstanding work and/or technical qualifications.

33. Permission for undertaking work other than that of Nigam and for acceptance of fee:

The Nigam may permit in exceptional cases, and only when it is satisfied that this can be done without detriment to his official duties or responsibilities, an employee of the Nigam to perform specified service or series of service for a private person or body or for a public body or Government and to receive as remuneration thereof if the service be material. Unless the Nigam otherwise directs by a special order, one third of any remuneration in excess of Rs. 100/- and if recurring in excess of Rs. 300/- received by an employee under this Regulation, shall be credited to the funds of the Nigam.

Regulation-33 shall not be applied to the income derived by a Nigam employee from sale or royalties of a Book written by him with the aid of the knowledge acquired by him during the course of his service, if such book is not a mere compilation of Government/Nigam's Rules & Regulations or procedures, but it reveals the Author's Scholarly study of the subject. A certificate to the above effect may therefore, be furnished by the competent authority while recommending the relaxation of regulation 33 in such cases.

CLARIFICATION: That in case an officer/employee of the Nigam is called to undertake the work in connection with the examination (s) conducted by the following examining bodies he can accept the work and fee relating to such work provided that taking up such work does not interfere with normal duties of the Nigam's employee. The provisions of Regulation -33 will not operate in this case for depositing any percentage of such remuneration/fee, to the Nigam's account:-

- i) The Universities of Rajasthan
- ii) The R.P.S.C./U.P.S.C.
- iii) The Principal, Officers Training School.
- iv) Other Departments of the State Government.

34. An employee is eligible to receive without special permission

- (a) The premium awarded for any essay or plan in public competition;
- (b) Any reward offered for the arrest of a criminal or for information or special service in connection with the administration of justice;
- (c) Any reward payable in accordance with the provisions of any Act or Regulation or Rules framed there under;
- (d) Any reward sanctioned for services in connection with the administration of the Customs and Excise laws; and
- (e) Any fees payable to an employee for duties which he is required to perform in his official capacity under any special or local law or by order of the Nigam.

35. Payment of Honoraria:

The Nigam may grant to an employee an honorarium from its own funds as remuneration for work performed which is occasional in character and either so laborious or of such special merit as to justify such reward. The grant of an honorarium is not justified to an employee merely because there is a temporary increase in his work. The reasons for grant of an honorarium should always be recorded in the sanction.

36. Combination of Appointments:

When an employee is called upon to hold one or more independent posts in addition to his own duties, his pay will be regulated as follows.

- (a) The highest pay to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post.
- (b) For each other post, he draws such reasonable pay, in no case exceeding ¹ [3] ² [6] percent of the presumptive pay of the post, as the Nigam may fix.

1. Figure "6" is substituted by figure "3" vide order No.RVPM/AS/GAD/ESR/F.87/D.1253 dated 1.10.08-F&R-532 (This amendment shall be deemed to have come into force w.e.f. 1.1.2007).

2. Figure "10" is substituted by figure "6" vide order No.RSEB/F&R/F./D.45 dated 15.6.98.

- (c) If any compensatory allowance is attached to one or more of the posts, he may draw such compensatory allowance as the Nigam may fix, provided that such allowances shall not exceed the total of compensatory allowances attached to all the posts.

37. Two persons not to be appointed to a post at the same time:

Except as otherwise provided in these Regulations, no two persons may be appointed to draw the pay and allowances of a post at the same time.

38. Compensatory local allowance, Dearness allowance and House rent Allowance:

An employee will be eligible to such compensatory, dearness and house rent allowance as may be prescribed by the Nigam from time to time.

Note: Pending issue of orders of the Nigam under this Regulation, the Rules in this regard made by the Rajasthan Government for their employees will apply mutatis-mutandis to the employees of the Nigam.

39. Rent free accommodation:

The Nigam may from time to time specify the posts the holders of which will be entitled to rent free accommodation, provided such accommodation being the property of the Nigam, is available near the place of duty.

40. Subsistence grant:

(1) An employee under suspension shall be entitled to the following payments, namely:

- (a) A subsistence allowance at an amount equal to the leave salary which the employee would have drawn if he had been on leave on half-pay and in addition dearness allowance based on such leave salary.

Provided that where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows

- (i) the amount of subsistence allowance may be increased by a suitable amount not exceeding 50% of the subsistence allowance admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the employee;
- ii) the amount of subsistence allowance may be reduced by suitable amount not exceeding 50% of the subsistence allowance admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the employee;
- iii) the rate of dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under sub-clause (i) and (ii) above.

- (b) Any other compensatory allowance admissible from time to time on the basis of pay of which the employee was in receipt of on the date of suspension provided that the employee shall not be entitled to compensatory allowance unless the said authority is satisfied that the employee continues to meet the expenditure for which they are granted.

(2) Payment under sub-clause (1) can be withheld unless:

- (i) a suspended employee remains continuously at the headquarters during the suspension period and makes his attendance daily in the attendance Register kept for the purpose by the controlling authority.
- (ii) the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.

Provided in the case of an employee dismissed, removed or compulsory retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement under Regulation-9 of RSEB Employees (CC&A) Regulations, 1962 and who fails to produce such a certificate for any period during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances, equal to the amount by which earnings during such period or periods, as the case may be, fall short of the amount of subsistence and other allowances that would otherwise be admissible to him where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him

CLARIFICATION: The period of six months referred to in sub-para (1) (a) of the Regulation shall be reckoned from the date on which an employee was placed under suspension.

Note:- The authorities competent to suspend an employee are given in the RSEB Employees (CC&A) Regulations, 1962.

41. Re-instatement after suspension, removal or dismissal:

When an employee who has been dismissed, removed or suspended is reinstated, the authority competent to order the reinstatement shall consider and make a specified order.

1. (a) Regarding the pay and allowance to be paid to the employee for the period of his absence from duty, and
(b) Whether or not the said period shall be treated as a period spent on duty.
(c) Whether or not the suspension, removal or dismissal was wholly unjustifiable.

2. Where such competent authority holds that the employee has been fully exonerated or in the case of suspension that it was wholly unjustified, the employee shall be given the full pay and dearness allowance to which he would have been entitled had he not been dismissed, removed or suspended, as the case may be.

3. In other cases, the employee shall be given such proportion of such pay and allowances not exceeding one half as such competent authority may decide.

4. In a case falling under clause (2), the period of absence from duty shall be treated as period of duty for all purposes including the purpose for the computation of the period of probation during which the employee remained under suspension.

5. In a case falling under clause (3), the period of absence from duty shall not be treated as period on duty except under order of such competent authority only for any specific purpose including the purpose for the computation of the period of probation during which the employee

remained under suspension.

Provided that if the employee so desired, such authority may direct that period of absence from duty shall be converted into leave of any kind due and admissible to the employee.

6. In cases where punishment order does not indicate as to whether the suspension period is to be counted for the purpose of pension or not, the period of suspension shall be counted for the purpose of pension. In all other cases, action shall be taken as per punishment order.

7. Any payment made under this Regulation to a Nigam employee on his reinstatement shall be subject to adjustment of the amount, if any, earned by him through an employment, business, profession or vocation during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of re-instatement. Where the emoluments admissible under this regulation are equal to or less than the amounts earned during the employment, business, profession or vocation elsewhere, nothing shall be paid to the Nigam employee.

CHAPTER IV Leave

42. Kinds of leave:

¹ [Subject to the provisions of these Regulations the following kinds of leave may be granted to an employee other than a probationer trainee. However, maternity leave is admissible to Female Probationer trainee.

1. Casual leave.
2. Privilege leave.
3. Half pay leave, commuted leave and leave not due.
4. Terminal leave.
5. Extraordinary leave.
6. Maternity Leave
7. Study leave.
8. Special disability leave.
9. Hospital leave]

1. **Substituted vide order No.RVPN/AS/GAD/F&R/ESR/F.1/D. 548 dated 19.5.06 (F&R-316)**

43. General conditions governing grant of leave:

The following general principles shall govern the grant of leave to the employee:

- (a) Leave is earned by duty only.
- (b) It cannot be claimed as a matter of right.

When the exigencies of service of the Nigam so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

Explanation: Sanction of leave may not be presumed and leave asked for should not be availed of unless it has been specifically sanctioned.

- (c) All leave lapses at the time of discharge, dismissal, retirement or death.

- (d) An employee on leave may not take up any service or accept any employment. During leave preparatory to retirement an employee may take up any service or accept any employment with the prior permission of the Nigam which shall be granted only in rare cases.
- (e) An employee is expected to avail of leave granted fully, before resuming duty. An employee on leave cannot return to duty before the expiry of such leave except with the permission of the authority sanctioning leave.
- (f) **Grant of leave on medical grounds:**

i) Employee who is covered under Nigam's Pay Scales No.1 to 6A

- (1) (a) An application for leave on medical certificate made by an employee covered under Nigam's Pay Scales No.1 to 6A shall be accompanied by a medical certificate in the form prescribed below, given by an authorised medical attendant defining as clearly as possible the nature and probable duration of illness.

Rajasthan Rajya Vidyut Prasaran Nigam Limited
Medical Certificate for an employee covered under Nigam's Pay Scale No. 1 to 6A

I _____ after careful personal examination of the case hereby certify that _____ whose signature is given below, is suffering from _____ and I consider that a period of absence from duty of _____ with effect from _____ is absolutely necessary for the restoration of his health.

Date:
Signature of Nigam Employee

Designation
Department

Government Medical Attendant /other
Registered practitioner with registration
number

- (b) An application for leave on medical certificate under clause (1) (a) above may be accompanied by a certificate given by a registered medical practitioner, if a Government Medical Officer/Vaidya/Hakim is not stationed at the place where he falls ill. The certificate from the registered medical practitioner should invariably indicate his registration number.

Note: ¹[1. The expression 'Authorised Medical Attendant' in item (1) (a) shall mean:

- (i) An authorised medical attendant shall be as defined in sub rule (1) of Rule 3 of Rajasthan Civil Services (Medical Attendance) Rules, 2008.

(ii) In respect of treatment under Mediclaim Scheme applicable to Nigam employees appointed on or after 01.01.2004, the Medical Officer of the hospitals approved by the Commissioner, State Insurance and General Provident Fund Department

(iii) In the case of treatment taken as indoor patient in a private hospital/hospital run by trust in an emergent circumstances in which reimbursement of medical claim is allowed, the Medical Officers of that hospital.

(iv) Nigam's Homeopathic/allopathic doctor on duty in a Nigam's Homeopathic /Allopathic Dispensary or Head of Department of hospital/Institution which have been approved/recognized by the Nigam from time to time.

(v) The expression registered medical practitioner includes Allopathic/ Ayurvedic /Unani practitioner registered under law in force from time to time.]

1. **Substituted vide order No.RVPN/AAO/F&R/F. 1/D. 281 dated:12.10.10, (F&R-693)**

2. The certificate of sickness and fitness from the authorised medical attendant of Government/Nigam's Homeopathic/ Allopathic Chikitsak/Doctor, or the Head of Department of Hospitals/Institutes which have been recognized by the Nigam from time to time for taking treatment at employee's choice/option, shall be accepted for the purpose of sanction of leave by the competent authority.

(2) The authority competent to grant leave, at his discretion, may secure a second medical opinion by requesting a Government Medical officer not below the rank of Chief Medical Officer to have the applicant medically examined on the earliest possible date.

(3)The Government Medical officer referred to at item (2) above shall express opinion both as regards the fact of illness and as regards necessity for the amount of leave recommended, and for this purpose he may either require the applicant applying for leave to appear before himself or before a medical officer nominated by himself

(4)The grant of Medical certificate under this regulation does not itself confer upon the employee concerned any right to leave.

(ii) Employee whose pay scale is linked with Government Pay Scales:

(1) An employee whose pay scale is linked with Government Pay scales may be granted leave by the competent authority for a period not exceeding 60 days on the basis of medical certificate given by the authorised medical attendant in the form prescribed below:

Medical Certificate for an Employee whose pay scale is linked with Govt. Pay Scales:

Statement of the case ofName (to be filled in by the applicant in the presence of Civil Surgeon or Official Medical Attendant).

Appointment

Age

Total service

Previous periods of leave of absence on medical certificate.

Habits

Disease

I Civil SurgeonMedical officer at or ofafter careful personal examination of the case hereby certify thatis in a bad state of health and I solemnly and sincerely declare that according to the best of my judgement period of absence from duty is essentially necessary for the recovery of his health and recommend that he may be grantedmonth's leave with effect from (In my opinion it is/it is not necessary for the officer to appear before a Medical Board).

Civil Surgeon or Official Medical
Attendant.

(2) When leave to an employee whose pay scale is linked with Government Pay Scales on Medical grounds exceeds a period of 60 days, leave may be granted by the competent authority on the basis of a medical certificate given by a medical officer of or above the rank of Chief Medical & Health Officer.

(3) When the applicant is hospitalised as an indoor patient and the leave is recommended by the Medical Officer Incharge of the case in the hospital not below the rank of Chief Medical and Health Officer, leave for the period of hospitalisation shall be sanctioned by the competent authority.

Note: ¹. [1 The expression 'Authorised Medical Attendant' in item (1) shall mean:

- (i) An authorised medical attendant shall be as defined in sub-rule (1) of Rule 3 of Rajasthan Civil Services (Medical Attendance) Rules, 2008.
- (ii) In respect of treatment under Mediclaim Scheme applicable to Nigam employees appointed on or after 01.01.2004, the Medical Officer of the hospitals approved by the Commissioner, State Insurance and General Provident Fund Department
- (iii) In the case of treatment taken as indoor patient in a private hospital/hospital run by trust in an emergent circumstances in which reimbursement of medical claim is allowed, the Medical Officers of that hospital.
- (iv) Nigam's Homeopathic/allopathic doctor on duty in a Nigam's Homeopathic /Allopathic Dispensary or Head of Department of hospital/Institution which have been approved/recognized by the Nigam from time to time.]

1. Substituted vide order No.RVPN/AAO/F&R/F. 1/D.281 dated:12.10.10, F&R-693)

Substituted vide order No. RVPN/AS/GAD/F.1/D.846 dated 6.8.2003 (F&R-146)

Note 2: The certificate of sickness and fitness from the authorised medical attendant of Government! Nigam's Homeopathic/ Allopathic Chikitsak/ Doctor, or the Head of Department of Hospitals/Institutes which have been recognized by the Nigam from time to time for taking treatment at employee's choice/option, shall be accepted for the purpose of sanction of leave by the competent authority

(iii) A Nigam employee who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in the following form:

Performa for fitness Certificate

I Civil Surgeon.....Medical Officerat(Name of Hospital/Dispensary) do hereby certify that I have carefully examined ShriDesignationof the.....Department and find that he has recovered from his illness and is now fit to resume duties. I also certify that before arriving at this decision, I have examined the original medical certificate (s) and Statement (s) of the case on which leave was granted or extended and have taken these into consideration in arriving at my decision.

Signature of Authorised
Medical Attendant/Civil Surgeon

(iv) When a medical authority has reported that there is no reasonable prospect that a particular Nigam employee will ever be fit to return to duty, leave should not necessarily be refused to such a Nigam employee. It may be granted if due by a competent authority on the following conditions:-

- a) If the medical authority is unable to say with certainty that the Nigam employee will never again be fit for service, leave not exceeding 12 months in all may be granted. Such leave should not be extended without further reference to a medical authority.
- b) If a Nigam employee is declared by medical authority to be completely and permanently incapacitated for further service, leave or an extension to leave may be granted to him after the report of the medical authority has been received provided that the amount of leave as debited against the leave account together with, any period of duty beyond the date of the medical authority's report does not exceed 6 months.

43(g) Absence after Expiry of Leave:

(i) A Nigam employee who is absent from duty without leave or before leave applied for has been sanctioned by the competent authority shall be treated to have remained wilfully absent from duty and such absence shall amount to interruption in service involving forfeiture of past service, unless, on satisfactory reasons being furnished, the absence is regularised by grant of leave due or is commuted into extraordinary leave by the authority competent to sanction leave.

(ii) A Nigam employee who remains absent from duty after the expiry of the sanctioned leave or after communication of refusal of extension of leave is not entitled to any pay and allowances for the period of such absence and the period of such absence shall be commuted into extraordinary leave unless on satisfactory reasons being furnished, the period of absence is regularised by grant of leave due by the competent Authority to grant leave.

(iii) Notwithstanding the provisions contained in paras (i) and (ii) above, the disciplinary authority may initiate departmental proceedings under the RSEB Employees (CC&A) Regulations, 1962, against a Nigam employee who willfully remains absent from duty and if the charge of willful absence from duty is proved against him, he may be removed from service.

NOTE : The cases which do not fall under the purview of Regulation 21 shall be dealt with under the provisions of this Regulation.

(h) Leave may be prefixed and/or suffixed to a holiday, subject to the following conditions:

(i) the transfer or assumption of charge does not involve the handing or taking over securities or of moneys other than a permanent advance;

(ii) The early departure does not entail a corresponding early transfer from another station of an employee to perform his duties, and

(iii) The delay in return does not involve a corresponding delay in the transfer to another station of an employee who was performing the duties of the employee on leave during his absence or in the discharge from Nigam Service of a person temporarily appointed to it.

On the condition that the departing employee remains responsible for the moneys in his charge, the authority sanctioning leave may declare that condition (i) above is not applicable to any particular case.

Unless the Competent Authority in any case otherwise directs:-

- a) If holidays are prefixed to leave, the leave and any consequent rearrangement of pay and allowance take effect from the first day after the holidays, and
- b) If holidays are affixed to leave or joining time, the leave or joining time is treated as having terminated on, and any allowances take effect from, the day on which the leave or joining time would have ended if holidays had not been affixed.
- c) The holidays prefixed and affixed to leave should be included in computing the period of dual arrangement and accordingly additional pay should be granted.

ORDER

Sub: RSEB ESR, 1964 Regulation 43 (h) treatment of restricted holidays.

It is observed that a restricted holiday is not exactly covered under Regulation 3 (xii) of RSEB Employees Service Regulation, 1964, as it stands at present, because on a restricted holiday the office is not closed for transaction of the Nigam's business without reserve or qualification. However, as the restricted holiday are akin to other closed holidays, it has been decided that restricted holiday can be prefixed or suffixed to regular leave or casual leave.

(i) Leave may not be granted to an employee under suspension.

Provided that permission to leave head-quarters to a Nigam employee under suspension may be given in the event of serious illness in the family etc. by the authority competent to fill the post, for reasonable period in un-avoidable circumstances, keeping in view the state of enquiry and the possible effect of Nigam employee's absence on its progress.

(j) Leave ordinarily begins on the date from which charge is handed over and ends on the day preceding that on which charge is resumed, if in the forenoon of that day. If the charge is transferred in the afternoon, the leave begins or ends, as the case may be from the following day.

(k) The leave due to an employee is the period which he has earned diminished by the period of leave actually taken.

(l) Casual leave may normally be availed of only after sanction by the Head of the office but one day's casual leave may be availed of without prior sanction in case of unforeseen emergency provided the Head of office is promptly advised of the circumstances in which prior sanction could not be obtained. Casual leave to Heads of offices may be sanctioned by the next higher authority.

(m) Application for leave other than casual leave shall ordinarily be submitted 30 days before the date from which the leave is required. Applications which do not satisfy this requirement may be refused without assigning any reason.

(n) An employee shall, before proceeding on leave, intimate to the authority sanctioning leave his address while on leave and shall keep the said authority of any change in the address previously furnished.

(o) **Combination of leave:**

Casual leave cannot be availed of in conjunction with any other kind of leave. Any kind of leave, except casual leave, under this Regulation can be granted in combination with or in continuation of any other kind of leave.

The matter regarding allowing special casual leave to the employees of the Nigam who undergo sterilization operation etc. under family planning scheme has been considered and

it has been decided that:-

- (i) A Nigam female employees who undergo puerperal sterilization (i.e. Operation of salpingectomy for sterilization of women done two to five days after delivery) special casual leave need not be granted since the female employees are already entitled to maternity leave to the extent of 6 weeks from the date of confinement or upto 3 months from the date of commencement of maternity leave.
- (ii) In regard to other kind of sterilization namely non-puerperal or gynecological (i.e. sterilization done at any other time on women), 14 days is essential for the operation and for rest after operation. The special casual leave not exceeding 14 days may, therefore, be granted female employees who undergo non-puerperal sterilization.
- (iii) The Nigam's male employees who undergo sterilization operation may be allowed special casual leave upto six days.
- (iv) A Nigam's male employee whose wife undergoes a non-puerperal tubectomy operation under the family planning programme may be granted special casual leave up to 7 days, subject to production of medical certificate from the doctor who performed the operation that the presence of the Nigam's employee is essential for the period of leave to look after his wife during her convalescence after operation.
- (v) The Nigam's male employee who undergoes vasectomy operation for the second time in the event of a failure of sterilization operation may be allowed again special casual leave for six days subject to production of medical certificate from the doctor who performed the operation that the first operation was failure and the second operation was actually performed.
- (vi) In case of Nigam's employee, who is hospitalised due to complications caused as a result of vasectomy or tubectomy operation the period during which he/she remains as in-door patient in hospital shall be treated as special casual leave, provided it is in excess of 6 days in case of male and 14 days in case of female. The special casual leave for the period of hospitalisation shall be subject to production of medical certificate by the authorised medical attendant.

It has also been decided that special casual leave admissible under the above paragraph may be allowed to be combined either with casual leave or regular leave provided such leave in excess of special casual leave has been recommended on medical advice and a Medical Certificate from the appropriate Medical Authority under the leave Rules applicable to the Nigam's employees concerned in support of leave is produced.

In no other case, however, special leave should be allowed to be combined with casual leave as well with regular leave at one time

- (p) No leave shall be granted beyond the date on which an employee must compulsorily retire.

Provided that if in sufficient time before the date of compulsory retirement, an employee has been denied in whole or in part on account of exigencies of service of the Nigam, any leave applied for and due as leave preparatory to retirement then he may be granted after the date of compulsory retirement the amount of privilege leave which was due to him on the said date of compulsory retirement subject to maximum limit of 120 days as prescribed in Regulation No. 45. So long as the leave so granted, including the leave granted to him between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement does exceed the amount of leave preparatory to retirement actually denied the half pay leave if any applied for by an employee preparatory to retirement and denied in the exigencies of service of the Nigam being exchanged with privilege leave to the extent such leave was earned between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement.

Provided further that an employee whose service has been extended in the interest of the service of the Nigam beyond the date of his compulsory retirement may be granted privilege leave as under:-

- (i) During the period of extension, any privilege leave due in respect of the period of such extension and to the extent necessary, the privilege leave which could have been granted to him under the preceding proviso had he retired on the date of compulsory retirement.
- (ii) After the expiry of the period of extension
 - (a) The privilege leave which could have been granted to him under the preceding proviso, had he retired on the date of compulsory retirement diminished by the amount of such leave availed of during the period of extension.
 - (b) Any leave earned during the period of extension as preparatory to final cessation of his duties in sufficient time during the extension and refused to him on account of the exigencies of service of the Nigam:
- (iii) In determining the amount of privilege leave due in respect of the extension with reference to Regulation 45, the privilege leave, if any, admissible under the preceding proviso shall be taken into account.
- (q) A leave account in the form prescribed will be maintained for each employee. The leave accounts, other than that of casual leave of officers of Class I and II, shall be maintained by Chief Accounts Officer who will verify the title to leave before leave to such an officer, is sanctioned. The leave accounts of other employees shall be maintained by Head of Office concerned.
- (r) (i) In the event of death of a Nigam employee while in service, a lumpsum amount equal to the amount of leave salary admissible in respect of privilege leave that may be due to the deceased Nigam employee on the date of death, not exceeding ¹ [300] days privilege leave, may be paid to the widow/Children of the deceased Nigam employee.

1. Substituted 300 days in place of 240 days vide order No. RSEB/F&R/F./D. 45 dated 15.6.98.

(ii) Subject to provisions of paragraph (i) above a lumpsum payment may also be allowed to the widow/children of a Nigam employee who dies in any of the following circumstances:-

- (a) while availing of refused leave, the lump sum payment shall be restricted to the amount of refused leave not actually availed of due to death, reduced by the amount of family pension admissible if any.
- (b) While in extension in service.
- (c) While on re-employment immediately after retirement if he did not avail of refused leave during the period of re-employment till death.

2. [(s) Provided further that the existing employee will not earn leave during the period of probation as Probationer Trainee but previous balance of leave will be carried forward.]

2. Inserted vide order No.RVPN/AS/GAD/F&R/F.1/D.24 dated 12.1.07 (F&R-359)

44. Casual Leave:

- (1) An employee may be granted casual leave for a sufficient and valid reason upto a maximum of 15 days during the period of 12 months from 1st January to 31st December. Not more than 10 days of casual leave may be granted at a time. The unavailed portion of the casual leave shall lapse at the end of the period.

Provided that an employee joining service during the course of year should be granted casual leave in the following manner subject to normal rules:-

- (a) upto 5 days to those who join in October or thereafter.
- (b) upto 10 days to those who join in July to September.
- (c) upto 15 days to those who join before July.

3. [Provided further that admissibility of casual leave to a retiring employee during the course of the year shall be as follows:-

- 1 (a) Upto 5 days for service of 3 months or less in the year of retirement
- (b) Upto 10 days for service of more than 3 months but upto 6 months in year of retirement and
- (c) Upto 15 days for service of more than 6 months in the year of retirement

2 This order shall not be applicable in the cases of death while in service.]

3. Inserted vide order No. RVPN/AS/GAD/F&R/F. /D. 807 dated 29.7.2002.(F&R-67) made effective from 1.1.2002. Past cases need not to be opened.

Casual leave may be sanctioned by the Head of the office and if the applicant is himself the Head of office by the next superior officer. The work of the employee going on casual leave should not be allowed to suffer and necessary arrangement for it should be made.

- (i) Sundays, Gazetted holidays and weekly off which immediately precede a period of casual leave or come at the end may be prefixed or suffixed to such leave and those falling within a period of casual leave will not be counted as part of the casual leave.

(ii) A Nigam employee may be allowed half a day's causal leave if he applies for it.

Note: For this purpose, 'Half-a-day' in the forenoon session shall be considered to be the period upto the end of the lunch time and in the afternoon it shall be inclusive of the

period of lunch i.e. an employee who takes half-a-day casual leave in the forenoon session will be required to attend office by 2.00 p.m. and in the case of half-a-day casual leave in the afternoon session, he may be allowed to leave at 1.30 p.m. During morning office hours i.e. 7 a.m. to 1.00 p.m., 10 a.m. will be the dividing line.

Casual leave, however, must not be given so as to cause evasion of the regulations regarding:-

- i) Date of reckoning pay and allowances.
- ii) Charge of office.
- iii) Commencement and end of other kinds of leave.
- iv) Return to duty, or so as to extend the terms of leave beyond the time admissible.

(2) Compensatory casual leave in lieu of attendance on holiday:

A member of Ministerial establishment, (other than personal staff of the officers) and junior Engineer class I and Junior Engineer II may be allowed Compensatory Casual leave for the number of holidays he is required to attend office/duty for some urgent work under the orders of an officer or head of office, but not clearance of arrears, provided that such compensatory Leave does not exceed more than ten days in a calendar year.

'Provided that the Assistant Engineer posted on Grid Sub-Stations and the Executive Engineers/ Assistant Engineers posted on load Despatch Divisions and 400KV, Heerapura (Jaipur) and performing shift duties may be allowed to earn compensatory Casual leave for shift duties upto a total period of 20 days in a calendar year but such compensatory casual leave will not be allowed to be accumulated for more than 10 days at a time.'

Provided further that the JENs working in shifts may be allowed to earn Compensatory Casual Leave for shift duties upto a total period of twenty days in a calendar year but such Compensatory Casual Leave will not be allowed to be accumulated for more than ten days at a time.

The question of grant of Compensatory (Casual) leave in lieu of holiday to class-IV servant of the Nigam has been under consideration for some time past. The Chairman and Managing Director is pleased to decide that Class-IV employees of the Nigam (including employees on deputation) may also be granted Compensatory (Casual) leave in lieu of attendance of holidays on the same terms and conditions as mentioned in Regulation 44 (2) of the RVPN Employees Service Regulations, 1964.

The Compensatory leave earned under this instruction will be in addition to the casual leave ordinarily admissible in a year.

No claim for conveyance charges will be admitted for attendance on holiday when compensatory casual leave is sanctioned.

¹ [The staff working in Control Room in shifts in LD Wing be allowed Compensatory Casual leave (CCL) as and when it falls due and in case any staff deprived from weekly rest he shall be allowed Compensatory rest in lieu of weekly rest/holidays as early as possible preferably within the month in which the weekly rest was due to him or within two months immediately following that month, without any restriction of the number of such compensatory rests.]

1. **Inserted vide order No. RVPN/AS/GAD/F&R/ESR/F.1/D.579 dated 23.5.06 (F&R-319)**

45 Admissibility of Privilege Leave:

1. a) A Nigam employee whether temporary or permanent shall be entitled to privilege leave of 30 days in a calendar year.
b) A Nigam employee shall be entitled to accumulate leave upto a maximum period of ¹[300] days.
 2. (a) The leave account of every Nigam's employee shall be credited with the privilege leave, in advance, in two instalments of 15 days each on the first day of January and July of every calendar year irrespective of whether it is an even or uneven year.

(b) No deduction in leave balance shall be made if a Nigam's employee remains on any kind of leave other than extraordinary leave. If a Nigam's employee remains on extra ordinary leave in a half year, deduction shall be made at the rate of one tenth of the period of extra-ordinary leave during that half year subject to a maximum of 15 days.
 3. Subject to the provision of Regulation 43(b) the maximum amount of privilege leave that may be granted to a Nigam's employee at a time shall be 120 days, but in case the privilege leave is taken for the purpose of undergoing treatment for T.B., Leprosy or Cancer or a Mental disease in recognized Sanatorium/Hospital, the maximum period for which privilege leave can be granted shall be ¹[300] days at a time.

² [However, the Chairman and Managing Director of the Nigam is authorized to sanction/grant privilege leave beyond 120 days, subject to maximum of 300 days, at a time.]
 - 4 (a) A Nigam's employee shall earn privilege leave at the rate of $2\frac{1}{2}$ days for each completed month of his service in a half year in which he is appointed.

(b) In case of resignation, termination, discharge, removal or dismissal from service or death while in service or on retirement from service, the privilege leave shall be re- reckoned w.e.f. 1st January or 1st July, as the case may be, in the half year of occurrence of event and credited to his leave account at the rate of $2\frac{1}{2}$ days for each completed calendar month upto the end of the month in which he ceases to be in service.
1. **Substituted 300 days in place of 240 days vide order No. RSEB/F&R/F./D. 45 dated 15.6.98**
Substituted for the figures '180' vide order No.4 dt.23.1.92 (effective from 28.12.91)
 2. **Inserted vide order No. RVPN/CS/AAO/F&R/F.1 (Pt.-III)/D. 169 dated 11.10.2011 (RVPN F&R No. 762).**

45(A) Encashment of Privilege Leave while in Service:

- ² [(i) All officers/employees of the Nigam governed by RVPN Employees Service Regulations, 1964, may, on surrender of privilege leave not exceeding 15 days, once in a financial year commencing from April, be granted leave encashment equal to the period of leave surrendered.

Provided that no encashment of privilege leave may be allowed to a temporary Nigam employee unless he has completed one year of service.

Provided further that encashment of privilege leave shall only be allowed to Nigam employees who has made application for this purpose within the respective financial year.

- ii) Technical employees governed by the Technical Employees Leave Rules may, on surrender of privilege leave not exceeding ³[12] days once in a financial year commencing from April, be granted leave encashment equal to the period of leave surrendered.

3. (Figure '8' has been substituted by '12' vide order No.RVPN/AAO/F&R/F.56/D.296 dated 26.10.10 (F&R-699 and this amendment is effective from 1st April 2010.). Ratified vide order No. 334 dated 3.12.10 (RVPN F&R-705)

Clarification: In reference to order No. 699, it is clarified that since the limit of leave encashment has been made effective retrospectively from 1st April, 2010, therefore ;

(i) Those employees who have already availed the benefit of 8 days leave encashment in the financial year 2010-11, can now avail the leave salary for the balance 4 days leave surrendered.

(ii) The Dearness Allowance shall be payable at the rate applicable thereon on the date of submission of application for balance leave encashment benefit.

Above clarification issued vide Circular No. 323 dated 19.11.2010 (RVPN F&R-703) & ratified vide order No. 334 dated 3.12.10 (RVPN F&R-705)

Provided that no encashment of privilege leave may be allowed to a temporary Nigam employee unless he has completed one year of service.

Provided further that encashment of privilege leave shall only be allowed to Nigam employees who has made application for this purpose within the respective financial year.

- iii) The number of days of privilege leave surrendered shall not be referred to any particular period but may be reckoned as surrendered on the date of submission of application for leave encashment benefit and debited against the leave account of a Nigam employee.
- iv) The Authority, who is competent to sanction privilege leave shall be competent to accept surrender of privilege leave and to grant leave encashment benefit thereof.
- v) The amount of leave salary for the period for which leave is surrendered shall be calculated in accordance with the provisions of Regulation-55 plus Dearness Allowance thereon on the date of submission of application for leave encashment benefit. A month for the purpose of calculation of leave salary and allowance shall mean 30 days.]

- vi) A Nigam employee may be paid leave salary in lieu of the privilege leave surrendered in the month he makes an application after issuing the formal sanction in this regard.
- vii) This leave salary is not liable to deductions on account of State Life Insurance Premium, Life Insurance Corporation Premium, Contributory Provident Fund Subscription, GPF Subscription, repayment of advances etc. to the Nigam, house rent and repayment of any dues to cooperative societies etc. However, the income tax should be deducted on this additional income.
- viii) The concession shall also apply to the employees, who are on foreign service or deputation to the Government of India or Rajasthan Government or other State Government or any non-Government Body or Institution or have been sent on training within the Country or Abroad.
- ix) The benefit of surrender of privilege leave will not be allowed to re-employed persons or those under extension of service.

2. (Regulation 45(A) (i) to (v) substituted vide No.RVPN/AAO/F&R/F. 1(Pt-III)/D. 244 dated 31.08.10, RVPN -F&R No: 681)

45 (B) Cash payment in lieu of unutilised privilege leave on the date of retirement

- (1) A Nigam employee, who is either covered under CPF Scheme or under pension Scheme as admissible under RSR on retirement from service of the Nigam on attaining the age of superannuation, invalid, compensation or retirement pension under regulation 18 (3) of RVPN Employees Service Regulations, 1964 shall be paid cash, equivalent to leave salary in respect of the period of un-utilised privilege leave not exceeding ¹[300] days at his credit at the time of retirement.
- (2) The cash payment of leave salary admissible under sub-regulation (1) above shall be paid on retirement in one lump sum as one time settlement.
- (3) The cash payment under this regulation shall be equal to leave salary as admissible for privilege leave and dearness allowance admissible on that leave salary at the rates in force on the date of retirement. No City Compensatory Allowance or House Rent Allowance shall be payable on cash payment of leave salary.
- (4) The cash payment for un-utilised privilege leave shall be calculated as follows:

$$\text{Cash Payment} = \frac{\text{Pay admissible on the date of retirement plus Dearness allowance admissible on that date}}{30} \times \text{Number of un-utilised P.L at credit on the date of retirement subject to a maximum of } ^1[300] \text{ days}$$

- (5) The Head of office/Head of Department, as the case may be, shall be competent to grant leave and permit cash equivalent of privilege leave not exceeding ¹[300] days at the credit of a Nigam employee on the date of retirement.

(6) The benefit of cash payment under this regulation shall also be admissible to the Nigam employees, who are granted extension in service after attaining the age of superannuation. In such cases the benefit shall be granted on the date of final retirement on the expiry of extension.

². [(7) The authority competent to grant leave may withhold whole or part of the cash equivalent of privilege leave in case of a Nigam employee who retired from service on attaining the age of retirement while under suspension or disciplinary or criminal proceedings are pending against him, if in the view of such authority there is possibility of some money becoming recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount so withheld after adjustment of Nigam dues, if any.]

1. **Substituted vide order No. RSEB/F&R/F. /D. 45 dated 15.06.1998**
2. **Inserted vide order No. RSEB/F&R/F. (P.L.)/D. 72 dated 28.10.99**

Board's Decision - "Special Instructions"

In order to avoid delay in getting cash payment in lieu of un-utilised privilege leave on the date of retirement, it has been decided that competent authority may issue orders for cash payment one month in advance of the date of retirement on receipt of application from the concerned Board employee, but the payment of the same shall be made only after the actual retirement of the Board employee has come into effect.

During the period from the date of sanctioning cash payment and actual retirement, ordinarily no Privilege Leave shall be sanctioned to him. If in emergent circumstances, any leave is required to be sanctioned, the orders earlier issued for cash payment shall be simultaneously revised by the leave sanctioning authority.

46. Half Pay Leave, Leave not due and Commuted leave.

- (1) (a) A Nigam employee shall be entitled to half pay leave of 20 days in respect of each completed year of service.
- (b) The leave under clause (a) may be granted on medical certificate or on private affairs.
- (2) (i) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate of an authorised medical attendant to a permanent Nigam employee subject to the following conditions:
 - (a) When commuted leave is granted, twice the amount of leave shall be debited to half pay leave due.
 - (b) That the authority competent to grant leave is satisfied that there is reasonable prospect of the Nigam's employee's returning to duty on its expiry.
- (ii) Half pay leave upto a maximum of 180 days may be allowed to be commuted during the entire service without production of medical certificate where such leave is utilised for an approved course of study certified to be in the public interest by the leave sanctioning authority.

- (3) Save in the case of leave preparatory to retirement, leave not due may be granted to a Nigam employee in permanent employment subject to the following conditions:-
- (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the Nigam employee returning to duty on its expiry;
 - (b) The leave not due shall be limited to the half pay leave he is likely to earn thereafter;
 - (c) Leave not due during the entire service shall be limited to a maximum of 360 days, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate of the authorised medical attendant;
 - (d) Leave not due shall be debited against the half pay leave the Nigam employee may earn subsequently.
- 4) A temporary Nigam employee, who has been appointed in accordance with the Rules regulating recruitment and conditions of service framed under the section 79 (c) & (k) of the Electricity Supply Rules, 1948 or where such recruitment rules have not been framed, the appointment has been in accordance with the orders issued by the Nigam from time to time prescribing academic qualification, experience etc. shall on completion of three years service be entitled to commuted leave and leave not due under sub-regulation (2) & (3) respectively.
- 5) No leave salary shall be recovered where an employee, who has been granted leave not due under sub-regulation (2) & (3) as the case may be, dies or is retired under regulation 18(4). In all other cases like resignation, voluntary retirement, removal, dismissal etc. the recovery of leave salary shall be made.

47. Deleted.

48. Admissibility of Terminal Leave:

- (1) Terminal leave to the extent of privilege leave not exceeding ¹[300] days may be sanctioned at the discretion of the authority competent to grant of leave even when it has not been applied for and refused in the public interest to the following categories of Nigam employees on termination of their employment:-
- 1. Substituted 300 days in place of 240 days vide order No. RSEB/F&R/F./D. 45 dated 15.6.98**
- (a) a temporary employee whose services are terminated by the Nigam on account of retrenchment or on the abolition of the post before attaining the age of superannuation;
 - (b) re-employed pensioners;
 - (c) Persons employed for a period exceeding one year on contract basis;
 - (d) Unqualified persons who have to vacate their temporary posts to make room for qualified candidates and;

- (e) persons whose services may have to be disposed with as a matter of administrative convenience as an alternative to the initiation of disciplinary proceeding against them.
- (2) A temporary Nigam employee, who resigns on his own may at the discretion of the sanctioning authority be granted terminal leave not exceeding half the amount of privilege leave at his credit subject to a maximum of ²[150] days.
2. Substituted "150 days" in place of "120 days" vide order No. RSEB/F&R/F./D. 45 dated 15.6.98.
- (3) The cash payment of leave salary under sub-regulation (1) and (2) shall be paid in lump sum as one time settlement in accordance with method of computation laid down in sub-regulation (3) & (4) of Regulation 45 (B).
- (4) Terminal leave under sub-regulation (1) & (2) above shall not be admissible to
 - (a) Apprentice and persons not in the whole time employment of the Nigam;
 - (b) Nigam's Employee dismissed or removed from service; and
 - (c) Nigam's Employee whose services have been terminated for taking part in any antinational movement.

49. Leave to a temporary employee appointed permanent without interruption in duty:

An employee not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the privilege leave which could have been admissible if his previous duty had been duty as a permanent employee diminished by any leave already taken. Leave is not an interruption of duty for the purpose of this Regulation.

50. Extra-ordinary Leave:

- 1. (a) Extra-ordinary leave may be granted to an employee of the Nigam in special circumstances:
 - i) When no other leave is admissible, or
 - ii) When other leave is admissible, but the employee concerned applies in writing for the grant of extra-ordinary leave.
- (b) Except in the case of a permanent employee the duration of extra-ordinary leave shall not exceed three or eighteen months on anyone occasion, the longer period being admissible, subject to such conditions as the Nigam may by general or special order prescribe, only when the employee concerned is undergoing treatment for:-
 - i) Pulmonary Tuberculosis in recognized sanitorium or
 - ii) Tuberculosis of any other part of the body by a qualified tuberculosis Specialist or a Civil Surgeon or a District Medical Officer.

- iii) Leprosy in a recognized Leprosy Institution or by a Civil Surgeon or a Distt. Medical Officer or a Specialist in leprosy recognized as such by the Rajasthan State Administrative Medical Officer concerned.

¹[Provided that a temporary employee who has been appointed after regular selection as per recruitment rules and who has completed 3 years regular service shall be entitled to extra ordinary leave on the scales admissible to a permanent Nigam employee.]

1. Inserted vide order No. RVPN/AS/GAD/F&R/D.826 dated 2.8.02(F&R-69)

² [The appointing authority shall sanction extraordinary leave upto three months to a probationer trainee during the entire period of probation training. If extraordinary leave beyond the period of three months during probation period is granted by the appointing authority in exceptional circumstances, with concurrence of Chairman and Managing Director, the period of probation shall be extended upto the extraordinary leave taken beyond three months. However, the maximum period for which the probation can be extended shall be one year. In cases, where the appointing authority on completion of the period of probation training of a probationer -trainee, decides to extend the period of probation training, the probationer trainee will be allowed pay in the pay scale/running pay band of the post only after successful completion of extended period of probation training.]

2. Inserted vide order NO.RVPN/AS/GAD/F&R/F. 1(Pt-II) /D.665 dated:2/6/09 RVPN F&R No-582)

(c) Where an employee, who is not in permanent employ, fails to resume duty on the expiry of the maximum period of extra-ordinary leave granted to him, or where such an employee who is granted a lesser amount of extraordinary leave, than the maximum amount admissible, remains absent from duty for any period which together with extraordinary leave granted exceeds the limit upto which he could have been granted such leave under sub-regulation (b) he shall, unless the Nigam in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned his appointment, and shall accordingly cease to be in Nigam's employ.

(d) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

3. When other leave is admissible, but the employee concerned applies in writing for the grant of Extra Ordinary leave.

ORDER

(Inserted vide order No.RSEB/F&R/F.5(17)/D.9 dated 19.1.85).

Sub: - Power to grant extra ordinary leave to the temporary employees Delegation of Powers to the Chairman.

The Board in its 339th meeting held on 27.12.84 has delegated the powers to the Chairman to grant Extra Ordinary Leave to the temporary employees beyond the period of three months on grounds other than those mention in Regulation 50 (1) (b) of RSEB ESR, 1964 in justified cases.

Note: Extra Ordinary Leave without pay was allowed for 5 years in whole service vide order No.RVPN/AS/GAD/F&R/F.1/D.257 dated 19.3.04 (F&R-188). Ratified

vide order No. RVPN/AS/GAD/F&R/F.1/D. 373 dated 20.4.04.

¹ {51. **Maternity leave:**

A competent authority may grant 'Maternity Leave' to a female employee twice during the entire period of her service. However, if there is no surviving child even after availing of it twice, maternity leave may be granted on one more occasion.

The maternity leave may be allowed on full pay for a period which may extend upto the period of ²[180] days, from the date of its commencement.

2. 135 days are substituted by 180 days vide order No.RVPN/AS/GAD/F&R/F.1(II)/D.1301 dated 14.10.08 (F&R-551).
120 days were earlier substituted as 135 days vide order No.RVPN/AS/GAD/F&R/F.1/D.257 dated 30.3.05 (F&R-261)

Maternity leave may be combined with leave of any other kind.

Note:

(i) ³[Maternity leave may also be granted to a female Nigam servant with less than 2 surviving children, in case of miscarriage including abortion, either once or twice subject to total of six weeks during the entire service provided that the application for leave is supported by a certificate from the authorised Medical Attendant.]
3. Substituted vide order No.RVPN/AS/GAD/F&R/F.1/D.1162 dated 28.10.06 (F&R-345)

(ii) ⁴[Maternity leave is also admissible to temporary female employee of the Nigam and Female probationer trainee of the Nigam under this Regulation.]
4. Substituted vide order No.RVPN/AS/GAD/F&R/ESR/F.1/D.548 dated 19.5.06 (F&R-316)

(iii) Maternity leave is not admissible in case of incomplete abortion

Clarification: 'Abortion' does not include 'threatened abortion' and Maternity leave cannot be granted in the case of 'threatened abortion'.}

1. Substituted vide order No. RSEB/F&R/F./D. 45 dated 15.6.98, Further substituted vide order No. RVPN/AS/GAD/F&R/d. 826 dated 2.8.02 (RVPN F&R No. 69)

² [51 (A) **Paternity Leave:** -

A male Nigam servant with less than two surviving children may be granted Paternity Leave (Maximum two times) for a period of 15 days during confinement of his wife i.e. 15 days before to three months after child birth and if such leave is not availed of within this period, it shall be treated as lapsed.

During the period of such leave, the male Nigam servant shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Entry of Paternity leave should be made in the Service Book separately and may be combined with any kind of other leave (as in case of Maternity leave)

Such leave shall not be allowed in case of miscarriage including abortion of Nigam Servant's wife.]

2. **Inserted vide order No.RVPN/AS/GAD/F&R/F.1/D.257 dated 30.3.05 (F&R-261)**

RVPN F&R 723

No. RVPN/AAO/F&R/F. 56/D. 503

Dated: 30.3.2011

Pursuant to the approval of the State Government, conveyed by the Energy Department, GoR, vide its letter No. F.4(2) Energy/2011 dated 17.1.2011, the Chairman and Managing Director, RVPN, is pleased to allow maternity leave of maximum 180 days to the female workers of the Nigam covered under the Technical Workmen Service Regulations, 1975 / Rajasthan Electrical & Mechanical Department Technical Employees Leave Rules, 1955, in place of existing limit of maximum 12 weeks.

This enhancement in Maternity leave shall come into force with immediate effect and will also be applicable to those female workers of the Nigam who are presently on maternity leave.

This is supersession to all the earlier orders issued in this regard.

~~Order No. RSEB/Rules/D.26 dated 16.8.73~~

ORDER

~~The Board in its 186th meeting held on 31st July 1973 has decided that the women workers who are so far not governed by the ESI Scheme, Maternity Benefit Act and RSEB Employees Service Regulations, 1964 and in whose case the maternity leave and other benefits for the purpose of maternity are not available, be allowed the facilities of the Maternity Benefit Act.~~

52. Study leave:

- 1) The Nigam may grant study leave to a permanent employee to study scientific, technical or similar problems or to undergo special course of instructions or training in or Outside India provided such study course or training is in the Nigam's interest and on such terms and conditions as the Nigam may consider necessary. Study leave may be combined with such other leave as the employee is entitled to, provided that total absence from duty shall not exceed 24 months.
- (2) Notwithstanding the provisions contained in sub-regulation (1) study leave will also be admissible to a temporary Nigam employee who has completed 3 years continuous service provided that the initial appointment has been made by the competent authority according to regulations of the Nigam.
- (3) In case of temporary Nigam employees who has completed three years continuous service and is not covered by provisions of sub-regulation (2) above, extra-ordinary leave may be granted for a period of 2 years for the purpose of prosecuting higher studies certified to be in Nigam's interest in relaxation of provision contained in regulation 50 (1) (a) of the RVPN Employees Service Regulations, 1964.

(4) Application for study leave should state the course or courses of study contemplated and any examination which the candidate proposes to undergo. It should be submitted with a certificate from the Chief Accounts Officer. In the event of any change in the course of study or examination, the prior approval of the Nigam should be obtained.

(5) If an employee who is granted study leave resigns and does not return to duty after the period of study leave or resigns at any time before the expiry of the period stipulated to serve after training, will have to refund to the Nigam double the amount of leave salary, and other payments made to him during the period of study leave together with interest thereon. To achieve this purpose the employee shall be required to execute a bond of agreement as in the Annexure to this chapter.

53. Special Disability Leave:

i) Subject to the conditions specified in this Regulation, Nigam may grant special disability leave to an employee who is disabled by injury intentionally inflicted or caused in or in consequence of the performance of his duties or in consequence of his position in the Nigam's service.

ii) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to notice. But the Nigam if it is satisfied as to the cause of the disability may permit leave to be granted in cases where the disability manifested itself, more than three months after occurrence of its cause.

iii) The period of leave granted shall be such as is certified by a Medical Authority, specified by the Nigam, to be necessary.

iv) It shall not be extended except on the certificate of a Medical Authority specified by the Nigam, and shall in no case exceed 24 months. Such leave may be combined with leave of any other kind.

v) Special disability leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of anyone disability.

vi) Such leave shall be counted as duty in calculating service for pension or Contributory provident Fund Rules.

vii) Leave salary during such leave to employees other than Class IV shall be equal to:-

- a) For the first 120 days, of any such leave including a period of such leave granted under clause (v) of this Regulation to leave salary in accordance with clause 2 of Regulation 55.
- b) For the remaining period of any such leave to half pay in accordance with clause 3 of the Regulation 55 or at the employee's option, for a period not exceeding the period of privilege leave which would otherwise be admissible to him, to average

pay. In the later case half of such leave shall be debited to his privilege leave account.

viii) Leave salary to class IV employee shall be equal to:

- a) for the first sixty days, of any such leave including a period of such leave granted under clause(v) of this Regulation, to leave salary equal to his pay on the day before the leave commences, and
- b) for the remaining period of such leave to half payor at the employee's option, for a period not exceeding the period of privilege leave which would otherwise be admissible to him, to pay equal to pay on the day before the commencement of leave. In the later case half of such leave shall be debited to his privilege leave account.

54. Hospital leave-admissibility and extent

- i) A competent authority may grant hospital leave to an employee while undergoing treatment in a hospital for illness or injury if such injury or illness is caused by shock received from high electric voltage in attending to electric installation or to lines at power crossing or for charging plant, to those employees of the Nigam, whose pay does not exceed Rs. ¹[12000/-] p.m. and who are employed on **generating or distribution of electricity or on the working of the machinery** of the Nigam.

1. Rs. 5000/- substituted by Rs. 12000/- vide order No.RVPN/AS/GAD/F&R/ESR /F.87/D.1253 dated 1.10.08 (F&R-532) This amendment shall be deemed to have come into force w.e.f. 1.1.2007

Rs. 1640/- substituted by Rs. 5000/- vide order No. RSEB/F&R/F./D. 45 dated 15.6.98

- ii) The amount of hospital leave is limited to three months on average pay in any period of three years. It may be combined with leave of any other kind. Hospital leave on half average pay counts for the purpose of this limit as half the amount of leave on average pay.

55. Leave Salary:

- (1) Casual leave: An employee on casual leave shall be treated as on duty and his pay is not intermitted.

(2) A Nigam employee on privilege leave is entitled to leave salary:

(a) Equal to the pay to which he is entitled to on the day before the leave commences:

Provided that, if on that day he was in receipt of special pay granted in consideration of additional work or was in receipt of additional pay on account of holding a post in addition to his own post under regulation 36, such special pay and additional pay shall not be taken into account for computing leave salary.

(3) An officer/ employee on half pay leave or leave not due will be entitled to leave salary

equal to half the amount specified in sub-regulation (2) above subject to a maximum of Rs. ¹[23000/-].

Provided that this limit shall not apply if the leave is taken on medical certificate or for pursuing an approved course of study otherwise than on study leave terms.

1. Rs. 9500/- substituted by Rs. 23000/- vide order No.RVPN/AS/GAD/F&R/ESR /F.87/D.1253 dated 1.10.08 (F&R-532). This amendment shall be deemed to have come into force w.e.f. 1.1.2007.
Rs. 3000/- substituted by Rs. 9500/- vide order No. RSEB/F&R/F./D. 45 dated 15.6.98)

- (4) An officer/employee on commuted leave will be entitled to leave salary as admissible during the privilege leave.
- (5) A Nigam employee on extraordinary leave is not entitled to any leave salary.
- (6) **Maternity leave:** An employee on maternity leave shall draw leave salary equal to the salary she drew on the day preceding that on which she proceed on such leave.
- (7) **Study leave:** An employee on study leave shall draw leave salary as may be determined by the Nigam but it will not exceed half of the average substantive pay of the employee on the date preceding that on which he proceeds on leave.
- (8) **Hospital leave:** Hospital leave may be granted on leave salary equal to either average pay or half average pay, as the authority sanctioning it may consider necessary.

Note: In respect of any period spent on deputation or foreign service out of India, the pay which an employee would have drawn if on duty in India shall be substituted for the pay actually drawn while calculating average pay.

Explanation:

For purposes of this Regulation substantive pay means the substantive pay of the permanent post which an employee holds substantively or on which he holds a lien or would hold a lien had the lien not been suspended provided that the leave salary of an employee who is in permanent employ and who had been continuously officiating in another post for more than three years at the time he proceeds on leave shall be calculated as if he was the substantive holder of the post in which he was so officiating or in which he would have so officiated but for his officiating appointment in an equivalent or a still higher post.

The three years limit shall include:

- (a) All period of leave during which the employee would have officiated in the post but for proceeding on such leave and,
- (b) All period of officiating service rendered in an equivalent or a still higher post but for appointment to which he would have officiated in that post.

**Annexure to Chapter IV
Employment Bonds
(As required by Regulation 52(5))**

**Rajasthan Rajya Vidyut Prasaran Nigam Limited
Bond for permanent employee proceeding on study leave.**

KNOW ALL MEN BY THESE PRESENTS That I.Resident ofin the Distt. ofat present employed asin the office of the do hereby bind myself and my heirs, executors and administrators to pay to Rajasthan Rajya Vidyut Prasaran Nigam Limited (hereinafter called 'the Nigam') on demand the sum of Rs. (Rupees)together with interest thereon from the date of demand at the rates for the time being in force on Government loans or, if payment is made in a country other than India the equivalent of the said amount in the currency of the country converted at the official rate of exchange between that country and India, AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Nigam.

Dated thisday ofTwo thousand and

WHEREAS the above bounded.....is granted study leave by Nigam.

AND WHEREAS for the better protection of the Nigam the above bounded has agreed to execute this Bond with such condition as here under is written:

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATIONS IS THAT in the event of the above boundedresigning or retiring from service without returning to duty after the expiry of termination of the period of study leave or at any time within a period of _____years after his return to duty he shall forthwith pay to the Nigam or as may be directed by the Nigam Rs..... (Rupees) together with interest thereon from the date of demand at the rates for the time being in force on Government loans.

AND upon the above boundedmaking such payment the above written obligation shall be void and of no effect. Otherwise it shall be made remain in full force and virtue.

Signed and delivered by the above bounded..... in the presence of

ACCEPTED for and on behalf of the RRVPN

**Annexure to Chapter IV
Bond for Temporary Employee proceeding on Study Leave
(Regulation 52(5))**

KNOW ALL MEN BY THESE PRESENTS THAT WE resident ofin the Distt. ofat present employed asin the office of(hereinafter called the 'Obliger') and Shris/o Shri of and Shri.....s/o.....of sureties on his behalf do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay the RRVPN (hereinafter called the 'Nigam') on demand the sum of Rs.....(Rupees.....) together with interest thereon from the date of demand at the rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country

converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Nigam.

Dated this.....day of.....20.....

WHEREAS the above boundedis granted study leave by the Nigam.

AND WHEREAS for the better protection of the Nigam the above bounded has agreed to execute this bond with such conditions as here under is written.

AND WHEREAS the saidandhave agreed to execute this bond as sureties on behalf of the above bounded _____.

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the above bounded obliger Shriresigning from service without returning to duty after the expiry or termination of the period of study leave or at any time within a period ofYears after his return to duty to obliger and the sureties shall forthwith pay in the Nigam or as may be directed by the Nigam Rs (Rupees.....) together with interest thereon from the date of demand at the rates for the time being in force on Government loans.

And upon the above bounded obliger Shriand, or Shri.....and, or Shri.....the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtues.

PROVIDED ALWAYS THAT the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Nigam or any person authorised by them, (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Nigam to sue the said obliger before using the above bounded sureties Shriand

Shrior any of them for amounts due hereunder.

Signed and delivered by the surety above named Shri.....in presence of

Signed and delivered by the surety above named Shri.....in presence of

Signed and delivered by the surety above named Shri.....in presence of

Accepted

for and on behalf of
the Rajasthan Rajya Vidyut Prasaran Nigam Limited.

CHAPTER V Foreign Service

56. Employee's consent necessary for transfer to foreign service:

No employee may be transferred to foreign service against his will provided that this condition shall not apply to the transfer of an employee to Rajasthan Government or to the service of a body incorporated or not, which is wholly or substantially owned or controlled by the Government of Rajasthan or in which the Nigam has any interest.

57. When transfer to Foreign Service is admissible:

A transfer to foreign service is not admissible unless:

- (a) The duties to be performed after the transfer are such as should, be rendered by an employee of the Nigam, and
- (b) The employee transferred holds, at the time of transfer, a post paid from the fund of the Nigam or holds lien on such a post has his lien not been suspended.

Appendix 'A'

Terms and conditions of deputation of Nigam's employees sent on transfer to foreign service to other Govt. Public Sector Undertakings, Autonomous bodies, Government Companies and Corporations etc. on deputation.

- (1) The term 'Deputation' will cover only appointments made by transfer on a temporary basis. It does not cover permanent appointments made by transfer/or final absorption or by direct recruitment in competition with open market candidates to the aforesaid bodies.

(2) Deputation (Duty) Allowance:

¹[i] The deputation (duty) allowance shall be @ 2.5% of the basic pay i.e. sum of pay in the running pay band and grade pay of the employee subject to a maximum of + Rs.600/-p.m.]

- 1. **Substituted vide order No.RVPN/AS/GAD/F&R/ESR/F.87/D.1253 dated 1.10.08 (F&R-532) This amendment shall be deemed to have come into force w.e.f. 1.1.2007**

- ii) The 'Basic Pay' for the above purpose shall mean pay drawn in the scale of pay of the substantive appointment held or the pay in the scale of pay of the officiating appointment in an employee's parent cadre provided that it is certified by the appointing authority that but for the deputation the employee would have continued to hold officiating appointment indefinitely.
- iii) Personal pay, if any, drawn by an employee in his parent department may be allowed in addition. This will not be absorbed in deputation (duty) allowance but will be absorbed in other increases of pay, for example, increment or increase in pay on promotion or for any other reason.

(3) Pay and D.A. on Deputation:

- (i) An employee sent on deputation/foreign service shall be allowed his basic pay in the pay scale of the Parent Department plus personal pay, if any, plus deputation (duty) allowance at the rates mentioned in para 2 above.
- ii) D.A. will be regulated under the rules/regulations/orders of the parent

department.

EXCEPTIONS

Pay and D.A. to the Nigam's employees sent on deputation / foreign service to Bhakra Beas Management Board, Water and Power Compulsory Services (India) Ltd. and other Central and Inter State Organisation shall be allowed as under, namely

- (1)(a) Nigam employee on deputation/foreign service may elect to draw pay in the pay scales of the posts of deputation to which he is deputed as may be fixed under Regulation-24 of the RVPN Employees Service Regulations, 1964.
- 2[(b) with a view to ensuring that a Nigam employee on deputation does not get abnormal increase in the pay because of option exercised as at Clause (a) above, it has been decided that where the minimum of the scale of pay of the deputation post is substantially in excess of the deputationist basic pay i.e. sum of pay in running pay band and grade pay plus deputation (duty) allowance @ 2.5%, the appointing authority may restrict the pay of the deputationist even below the minimum of the deputation post under Regulation 28 of RSEB ESR, 1964. In such as case the pay allowed under Regulation -28 of erstwhile RSEB ESR, 1964 should not exceed by 3.5% of basic pay i.e. sum of pay in the running pay band and grade pay of the deputationist.]
2. **Substituted vide order No.RVPN/AS/GAD/F&R/ESR/F.87/D.1253 dated 1.10.08 (F&R-532) This amendment shall be deemed to have come into force w.e.f. 1.1.2007**
- (2) D.A. will be regulated under the rules/regulations/orders of the parent department or under the rules of borrowing authority / foreign employer according as pay is drawn in the parent pay scale or in pay scale of the post held on deputation.
- (3) However, in the case of employees, who are already on deputation and drawing pay higher than that admissible under clause I (b) of exception above, they shall have to deposit the difference from the date of this order till the commencement of further extension, if any, of the period of deputation when their pay shall be fixed in accordance with the provision of this order.
- 4) **Other Allowances & Concessions:**
 - i) **House Rent Allowance** shall be admissible according to the rules of borrowing authority/foreign employer or under the rules/regulations of Nigam whichever is more beneficial.
 - ii) **Travelling Allowance** shall be admissible according to the rules of borrowing authority/foreign employer or under the rules of the Nigam whichever is more beneficial.
 - iii) **Compensatory (City) Allowance** shall be admissible according to the rules of

the Nigam or borrowing authority whichever is more beneficial.

- iv) **Medical Concession:** Medical Concession shall be admissible according to the rules of borrowing authority/foreign employer or under the rules of the Nigam whichever is more beneficial.
- v) **Project Allowance:** Project Allowance admissible in a project area shall be admissible in addition to the deputation (duty) allowance in accordance with the RSEB Project Allowance Regulations, if admissible.
- vi) **Conveyance Allowance:** Conveyance Allowance shall be admissible in accordance with the orders issued by the Nigam from time to time or according to the rules/regulations/orders of the foreign employer whichever is more beneficial.
- vii) **Facility of Orderly :** The Officers entitled to have orderly under the orders of the Nigam shall continue to have the same with them on deputation to foreign service. The payment of wages of orderly will be made by the foreign employer.

(5) General Conditions:

i) Joining Time Pay and Transfer T.A:

He will be entitled to T.A. and joining time both on joining the post on deputation or on reversion to the parent department under the rules/regulations/orders of the Nigam/foreign employer to which he is deputed. The expenditure on this account shall be borne by the borrowing authority/foreign employer.

- ii) c) Leave Salary:** During the period of deputation he will be governed by leave rules of the Nigam applicable to him before such transfer. Payment of leave salary during foreign service shall be regulated in accordance with Finance Deptt. order No. F. 7 (A)/Rules/5 8 dated 21.1.81 as may be amended from time to time.

- b) Pension Contribution:** ¹[Employees of the company who are on deputation with other Departments/Undertakings (Other than BBMB) to the effect that the foreign employer will pay the pension contribution @ 12% of the basic pay plus D.A. for the employees covered under pension scheme and gratuity contribution @4.17% of Pay plus D.A. of all employees (GPF or CPF) per month].

1. Substituted vide order No. RVPN/AS/GAD/ F&R/ESR/F.1/D.215 dated 16.3.2005 (RVPN F&R-259)

- c) C.P.F. Contribution:** Actual contribution to CPF shall be paid in accordance with the RSEB CPF Rules, by the foreign employer.

- d) Special Contribution:** Special contribution shall be paid by the borrowing authority at the rate of one month's pay for each completed year of service i.e., 1/12 of the pay, as defined in the RSEB Payment of Gratuity Rules -

1972 on account of Gratuity payable to a Nigam employee under the RSEB Payment of Gratuity Rules - 1972.

(6) Beginning and End of Deputation:

The deputation will commence from the date on which a Nigam employee hands over the charge of post under the Nigam and shall end on the date he assumes charge of a post under the Nigam.

(7) Payment of Bonus or Ex-Gratia:

¹ [An employee on deputation shall have an option to elect between the deputation allowance plus bonus if admissible in terms of the order issued by the Nigam for the Nigam employees for relevant year (if bonus for Nigam employees is not admissible, deputation allowance only) and the bonus and/or ex-gratia payable to the employees of the borrowing organisation in terms of the order issued by the borrowing organisation for the relevant year. Such an option would be exercised within one month of declaring bonus and / or ex-gratia by the borrowing organisation. Deputation Allowance would be payable with salary but if an employee opts for bonus and/or exgratia as above, the amount of difference would be paid/recovered, as the case may be.]

1. Substituted vide order No.6 dated 10-1-90 (effective from 1-4-89)

(8) Duration of Deputation:

²[The deputation of Nigam's employees shall be allowed for a maximum period of seven years out of which five will be allowed with deputation allowance and remaining two years without deputation allowance,] provided that in case where it is considered absolutely necessary in public interest and in special circumstances to extend the period of deputation on foreign service beyond the maximum period of four years, the prior concurrence of the Chairman and Managing Director would be necessary and that:

2. Allowed vide order No.RVPN/AS/GAD/F&R/F.1/D.923 dated 26.08.04 (F&R-235)

Maximum period of deputation was again substituted from 7 to 4 years vide order No. RVPN/AS/ GAD/F&R/ESR/F.1/D.398 dated 15.04.2006 (F&R-311).

(a) No deputation allowance or deputation pay shall be payable for the extended period;

(b) No proposal for extension in the period of deputation shall be considered even without deputation allowance/deputation pay, if the proposal for extension in the existing terms of deputation is not moved at least two months before the expiry of the terms of deputation giving full justification ; and

(c) If no request is received within the time limit prescribed in (b) above, the competent authority should issue the posting orders at least 30 days before the expiry of the period of deputation. The Nigam employee on deputation will seek permission 30 days before the expiry of period of deputation from the lending authority for reporting back to the Nigam and shall act according to

the directions received.

NOTE: Nigam employees who are already on deputation beyond the period of three years with the approval of competent authority and have not completed 4 years period on the date of application of these conditions shall be allowed deputation allowance upto the date they complete four years period of deputation including the period for which no deputation allowance was admissible to them in accordance with the provisions in force at that time.

Clarification

1. The maximum ceiling of 4 years deputation would be for at a time for one or more than one organisation. No deputation allowance beyond this period would be admissible in any case.
2. Continued deputation even on promotion in parent cadre will be considered as part of the total maximum period of four years on deputation at a time.

Note: The extension in the period of deputation of the officer(s)/official(s) of Nigam who are on deputation with RERC shall be decided on case to case basis. Inserted vide order No.RVFN/AS/GAD/F&R/F.1(II)/D.209 dated 16.03.07 (F&R-385)

- (9) An employee who has already served on deputation/foreign service to other Government Public Sector Undertakings, Autonomous bodies, Corporation etc. shall not be allowed, except in very exceptional circumstances with the prior permission of Chairman and Managing Director to proceed on deputation to some other Government/Foreign Organisation again unless he has worked for a minimum period of one year on a post in his parent department subsequent to reversion.
- (10) An employee on deputation shall only draw pay and allowances as permitted by the lending authority in accordance with the terms and conditions of deputation prescribed in his case, and any payment in the nature of pay or allowances or remuneration or fee or compensation etc. by whatever name called, which is not authorised by his terms and conditions of deputation, shall not be received by him without prior sanction of the competent authority.
- (11) Other Conditions:
 - (i) The foreign employer will also be liable to pay salary and leave in respect of disability leave arising from disability incurred by the officer on deputation in and through foreign service even though such disability manifests itself after termination of foreign service.
 - (ii) The foreign employer will be responsible for payment of any compensation or pension that may be admissible under the RSEB rules, if any, injury was sustained or death occurs on this account during the foreign service.
 - (iii) The whole expenditure in respect of any compensatory allowance for the period of leave during or at the end of foreign service shall be borne by the foreign employer
 - (iv) The foreign employer/borrowing authority may allow such other concessions

as may be allowed by the RSEB to its employees from time to time while the officer/ official is on deputation.

This order shall also apply to the Nigam employees already on deputation

58. Consequences of transfer to foreign service during leave:

If an employee is transferred to foreign service while on leave, he ceases from the date of such transfer, to be on leave and to draw leave salary.

An employee transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer and may be given such substantive or officiating promotion in these cadres as the authority competent to order promotion may decide. In giving promotion such authority shall take into account:

- i) the nature of the work performed in foreign service, and
- ii) the promotion given to juniors in the cadre in which the question of promotion arises.

Nothing in this regulation shall prevent an employee of class III from receiving such other promotion in the Nigam as the authority would have been competent to grant the promotion had he remained in the Nigam's service and decide.

59. Date from which an employee in foreign service draws pay from foreign employer:

An employee in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Nigam's service, subject to any restrictions which the Nigam may, by general or special order impose. The amount of his pay, the amount of joining time admissible to him and of his pay during such joining time will be fixed by the authority competent to sanction transfer to foreign service in consultation with the foreign employer.

59(A) Pay and Allowances of Nigam employees on deputation Ex-India to be regulated according to Central Rules:

The pay and allowances of a Nigam employee sent on deputation Ex-India shall be regulated under the provisions of Rule 51 of Rajasthan Service Rules as amended from time to time.

60. Conditions of deputation on foreign service:

- (a) While an employee is in foreign service, contribution towards the cost of leave salary, his pension or employer's contribution in respect of employee governed by Contributory Provident Fund as the case may be, must be paid to the Nigam on his behalf.
- (b) The holder of CPF account will be required to pay special contribution one month's pay for each completed year of service i.e. 1 / 12 of the pay including deputation allowance, special pay, personal pay, dearness allowance etc. which form part of wages as defined in the RSEB Payment of Gratuity Rules, 1972 drawn by the employee while on deputation/foreign service payable by the employer/borrowing authority to meet the expenditure incurred on account of gratuity payable to a

Nigam employee under the RSEB Payment of Gratuity Rules, 1972.

- (c) Contribution due under clause (a) & (b) above shall be paid by the employee himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

61. Rate of Contribution:

The rate of contribution payable on account of pension and leave salary shall be such as the Nigam may by general orders prescribe.

62. How Contribution is calculated:

The rate of pension contribution prescribed under Regulation 62 will be designed to secure to the employee the pension or employer's contribution in the case of Contributory Provident Fund.

Rates of contribution for leave salary will be designed to secure to the employee leave salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible, the pay drawn in foreign service less, in the case of employees paying their contributions, such part of pay as may be paid as contribution, will count as pay for the purpose of these Regulations.

Note: Till the Nigam prescribes the rates of contribution under Regulation 62, the rates prescribed by Government of Rajasthan for their employees of the appropriate status from time to time, shall apply.

63. Remission of Contribution:

Nigam may while sanctioning a transfer to foreign service remit the contributions due in any specified case or class of cases.

64. Interest on arrears of contribution

Contribution for leave salary or pension, due in respect of a Nigam employee on foreign service, may be paid annually within one month from the end of each financial year or the end of the foreign service, if the deputation on foreign service comes to end before close of financial year. If the payment is not made within the said period, interest must be paid to the Nigam, on the unpaid contribution, unless it is specifically remitted by the Nigam @ 1% per month for the period of delay. A fraction of month exceeding 15 days would be treated as full month and delay upto 15 days would be ignored.

65. Contribution cannot be with-held by an employee in foreign service:

An employee in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in Nigam's service the time spent in foreign employment. The contribution paid on his behalf maintains his claim to pension or to employer's contribution to C.P.F. and leave salary as the case may be, in accordance with Regulations of the Nigam as applicable to him. Neither he nor the foreign employer has any property in a contribution paid and no claim for refund can be entertained.

66. Sanction required to accept pension, gratuity from foreign employer:

An employee transferred to foreign service may not without the sanction of Nigam accept a pension or gratuity from foreign employer in respect of such service.

67. Leave to an employee on foreign service

An employee in foreign service may not be granted leave otherwise than in accordance with the Regulations applicable to him while in service of the Nigam and may not take leave or receive leave salary from the Nigam unless he actually quits duty and goes on leave.

68. Pay of an employee in foreign service how regulated if appointed to officiate in a post in the Nigam:

An employee in foreign service if appointed to officiate in a post in Nigam's service will draw pay calculated on the pay of the post in the Nigam's service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

69. Date of reversion from foreign service:

An employee reverts from foreign service to the service of the Nigam on the date on which he takes charge of his post in the Nigam's service provided that if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the Nigam may decide.

70. Date from which pay and contribution by foreign employer ends:

When an employee reverts from foreign service to Nigam's service, his pay will cease to be paid by the foreign employer, and his contribution will be discontinued, with effect from the date of reversion.

No. RSEB/A&F/D.62

Dated: 28.02.1976

ORDER

Sub:-Grant of leave to Board's employees on deputation to the Government/other Departments.

Subject to ratification by the Board, the Chairman in consultation with the Accounts and Finance Member has decided that the leave applied for by a Board employee on deputation to Government /other Department on the expiry of the deputation period can be sanctioned by the Government /other Department concerned, subject to the condition that his reversion to the Rajasthan State Electricity Board will take effect from the date on which he rejoins duty under the Board.

**Government of Rajasthan
Finance (Group-2) Department**

Memorandum

No. F1(3) FD(Gr.2)/76

Dated: 27th May, 1977

Sub: - Transfer of Government Servants on Deputation / Foreign Service to other Governments, Public Undertakings, Autonomous bodies, Government Companies, Corporations etc. Grant of Deputation (Duty) Allowance.

The State Government employees who are transferred on deputation /foreign service to Central Government or other State Governments, Public Undertakings, Autonomous bodies etc., have opted either to elect to draw pay in the scale of pay of the new post to which they are deputed or to draw basic pay in the parent department plus deputation (duty) allowance vide para 3 of Finance Department Memorandum No. F1(3) FD(Gr.2)/76 dated: 23.01.1976.

Consequent upon introduction of Rajasthan Civil Service (Revised New Pay Scales) Rules, 1976 with effect from 01.9.1976 after merging all elements of Dearness Allowance sanctioned prior to 01.09.1976 into pay, a question has been raised as to how pay of a Government Servant who opted to draw pay in the scale of the new post to which he is deputed would be regulated where elements of Dearness Allowance sanctioned prior to 1.9.1976 is allowed as a separate element with the pay in the pay scale of borrowing organisation after 1.9.1976.

The matter has been considered and it has been decided that in the cases referred to in para 2 above the option provided in para 4 of the Finance Department Memorandum No. F1 (3) FD(Gr.2)/76 dated: 23.01.1976 as amended from time to time shall not be permissible and in such cases a Government Servant shall only be allowed to draw pay in the pay scale of the parent department plus usual deputation (duty) allowance and Dearness Allowance as per Government orders. Other allowance shall be regulated in accordance with para 6 of the above referred Memorandum dated 23.01.1976. The pay of Government Servants who are already on deputation shall also be regulated in accordance with these orders with effect from 1.9.76. The Finance department order dated 23.1.1976 may be deemed to have been amended to this effect with effect from 1.9.76.

Sd/-
Finance Commissioner
and Secretary to Government

[Endorsed vide order No. RSEB/F&R/F.5 (17)/D.62 dated 12th July, 1977]

Government of Rajasthan
Finance (Group-2) Department

ORDER

No. F&(A) (43) (A) Rules/58

Dated: 21.1.81

Sub: - Payment of pension and leave salary in respect of Government Servants transferred on deputation/foreign service to Central Government or other State Governments, Public Sector Undertakings, Autonomous bodies, Government Companies, Corporations etc.

1. The undersigned is directed to invite attention to provisions contained in Rule 145 of Rajasthan Service Rules, which provide for payment of pension and leave salary contribution in respect of Government servants transferred on deputation /foreign service to Central Government or other State Governments, Public Sector Undertakings, Autonomous bodies

(incorporated or not), and other Bodies wholly or substantially owned or controlled by the Government. The recovery of pension and leave salary contribution extinguishes the liability of the borrowing authority in regard to cost of pension and leave salary. The amount of pension contribution and leave salary payable by the foreign employer or borrowing authority is determined in accordance with the provisions of Rule 146 of Rajasthan Service Rules read with Appendix V in Rajasthan Service Rules-Volume-II.

2. Despite of various administrative instructions and circulars issued by the Government from time to time impressing upon the necessity to pay the contributions in time prescribed under Rule 149 of Rajasthan Service Rules, there have been abnormal delays in determining and payments of these contributions by foreign employer and borrowing authorities. Consequently Government Servants are required to face considerable hardship in the finalization of their pension cases at the time of retirement because the period of service rendered on deputation/foreign service counts for pension only if the contribution for pension has been paid.
3. With a view to simplify the existing system and procedure for calculation of the leave salary and pension contribution, the matter has been examined and the Governor has been pleased to order that recovery of leave salary contribution in respect of Government Servants sent on deputation to Public Sector Undertakings, Universities, Autonomous Bodies, Corporations, Municipalities, Government Companies and other bodies etc. wholly or substantially owned or controlled by Government shall henceforth be not made. Consequently the payment of leave salary including leave encashment benefit in respect of leave taken by a Government Servants while on deputation/foreign service shall be made by the borrowing authority/foreign employer in discharge of their liability to pay the cost of leave salary to the Government. The reversion of Government servant on deputation takes effect from the date on which he takes charge of the post under government. Thus in case of a Government servant who takes leave on the conclusion of his foreign service before rejoining his post under government, the liability for payment of leave salary in such cases shall be borne by the borrowing authority. If a Government servant attains the age of superannuation while on deputation and is consequently relieved of his duties on retirement the cash payment in respect of unutilized privilege leave at the credit of Government servant on the date of retirement shall also be made by the borrowing authority or the foreign employer.
4. It has been further decided that the pension contribution for each month of deputation, shall be paid @ 12% of the maximum of the pay scale of the post which the deputationist would have held in his parent cadre at the end of financial year concerned or at the end of foreign service if reverted before close of the financial year. For the aforesaid purpose a fraction of month exceeding 15 days would be treated as full month and a fraction upto 15 days would be ignored. The rate of contribution so payable by the borrowing authority or foreign employer shall invariably be indicated in the order issued by the competent authority regulating his terms and conditions of deputation so that contribution for pension due in respect of a Government servant in foreign service is paid within one month from the end of each financial year of the end of foreign service, if the deputation on foreign service comes to an end before close of the financial year as envisaged in Rule 149 of Rajasthan Service Rules.
5. These orders shall take effect from 1st January, 1981 and also apply to the Government Servants who are already on deputation on the date of issue of these orders. These orders shall not be applicable to Government servants whose services are placed on deputation with the Central Government or other State Government.

6. The rules contained in Chapter XIII-Foreign Service of Rajasthan Service Rule Volume-I and the rates of contribution payable on account of pension and leave salary during foreign service given in Appendix V of Rajasthan Service Rules Volume-II shall be deemed to have been modified to the extent indicated above. Formal amendments to relevant rules contained in Rajasthan Service Rules shall be issued in due course.

By Order of the Government
Sd/-
(M.L. Gaur)
Dy. Secretary to the Government

[Endorsed vide order No. RSEB/F&R/D. 44 dated 20.10.1981 effective from 05.02.1981]

CHAPTER VI Joining - Time

71. Admissibility of Joining Time:

- (i) Joining time shall be granted to an employee on transfer in public interest to enable him to join the new post either at the same or a new station. No joining time is admissible in case of temporary transfer for a period not exceeding 180 days. Only the actual transit time, as admissible in case of journey on tour, may be allowed.

Note: Nigam employees who are transferred at their own request and not in public interest may be permitted to avail Gazetted holiday(s) including Sunday if falling between the period immediately after relinquishing the charge of the old post and before assuming the charge of the post.

- (ii) Employees declared surplus and posted in other offices of the Nigam under the orders by the competent authority from time to time, shall be eligible for joining time on their transfer from one post to another.
- (iii) For appointment to post under the Nigam on the results of competitive examination and/or interview open to the Nigam employees and others, Nigam employees will be entitled to joining time under these Regulations. But temporary employees of the Nigam who have not completed 3 years of regular continuous service, though entitled to joining time would not be entitled to joining time pay.

72. Amount of Joining Time:

- (1) The joining time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.
- (2) The joining time shall be calculated from old head-quarters in all cases including where an employee receives his transfer orders or makes over charge of the old post in a place other than his old head-quarters or where the head-quarters of an employee while on tour is changed to the tour station itself or where his temporary transfer is converted into permanent transfer.

- (3) (a) Not more than one day's joining time shall be allowed to an employee to join a new post within the same station or which does not involve a change of residence from one station to another. For this purpose, the term 'same station' will be interpreted to mean the area falling within the jurisdiction of the municipality or corporation including such of Sub-Urban Municipality, Notified areas of cantonments as are continuous to the name of municipality etc.
- (b) In the case of a transfer of an employee within the same station which does not involve a change of residence from one station to another station, the transfer should involve the change of office building at the same station at the distance exceeding 2 Kms. for the purpose of admissibility of one day's joining time to join a new post under clause (a) of this Sub-Regulation. If an employee hands over charge in the forenoon/afternoon, he shall be required to take over charge of the new post at the same station in the forenoon of the next working day.
- (4) In case involving transfer from one station to another and also involving change of residence, the employee shall be allowed joining time with reference to the distance between the old head-quarters and the new head-quarters by direct route and ordinary mode(s) of travel indicated in the following schedule. When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s):-

Distance between the old headquarters and the new headquarters	Joining time admissible	Joining time admissible where the transfer involves continuous travel by road for more than 200 Kms
1000 Kms or less	10 days	12 days
More than 1000 Kms	12 days	15 days
More than 2000 Kms	15 days	15 days

Provided that when an employee Awaiting Posting order is transferred from one station to another station and involving change of residence, the employee shall be allowed 4 days joining time including journey period, irrespective of distance and mode of travel.

NOTE:

1. Distance means actual distance charged by the Railways or Roadways, as the case may be.
 2. In cases where transfer of charge of an office consists of several stores or scattered works which the relieving and the relieved employees are required to inspect together before the transfer of charge is completed, the time taken for this purpose should not in any case exceed 7 days and the period so spent shall be treated as joining time extended under sub-regulation (5) of this regulation.
- (5) Extension of joining time beyond the limits indicated in Regulation 72(4) can be

granted upto the maximum limit of 30 days by the Head of Department and beyond 30 days by the Chairman and Managing Director, the guiding principle being that the total period of joining time should be approximately equal to 8 days for preparation plus reasonable transit time plus holidays, if any, following the extended joining time. While computing the transit time, allowance could be made for the time unavoidably spent due to disruption of transport arrangements caused by strike or natural calamities or the period spent awaiting the departure of the steamer.

(6) (1) Where an employee joins the new post without availing of the full joining time, the number of days of joining time, so admissible in sub-Regulation (4) of Regulation 72, subject to a maximum of 15 days, reduced by the number of days actually availed of, shall be credited to his leave account as privilege leave.

(2) Joining time may be combined with any kind of leave except casual leave.

(3) If an employee in transit on transfer is directed to proceed to a place different from that indicated in the initial transfer orders, he shall be entitled to joining time already availed of upto the date of receipt of revised orders plus fresh spell of full joining time from the date following the date of receipt of the revised orders. The fresh spell of joining time in such cases shall be calculated from the place at which he received orders as if he is transferred from that place.

73. Joining Time Pay:

(i) An employee on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition he can also draw compensatory allowance like City Compensatory Allowance, House Rent Allowance as applicable to the old station from which he was transferred. He shall not be allowed conveyance allowance or permanent travelling allowance.

(ii) Penalty for exceeding Joining Time:

An employee, who does not join his duty within his joining time, is not entitled to pay after the end of joining time. The period of absence from duty after the expiry of joining time admissible under these regulations shall amount to interruption in the service involving forfeiture of past service unless, on satisfactory reasons being furnished, such absence is regularised by grant of extension in the normal period of joining time under these Regulations in the circumstances narrated in Regulation 72(5) is commuted into extra-ordinary leave by the authority competent to extend the joining time.

74. (i) All regulations, orders and instructions on the subject of joining time in force immediately before insertion of Regulation 71 to 73 of these regulations and applicable to the employees to whom these Regulations apply, are hereby repealed. If any doubt arises as to the interpretation of these Regulations, it shall be referred to the Secretary.

- (ii) Joining time may be curtailed at the discretion of the authority ordering the transfer, but period of such curtailment in the joining time shall be credited to the leave account of the employee, as per Regulation 72 (6) (1)
- (iii) Joining time will not be admissible to an employee who is transferred at his own request.

CHAPTER VII

75. Record of Service:

- (1) A record of the service of officers of Class I and II will be kept in the Office of the Chief Accounts Officer.
- (2) A Service Book in the form as prescribed by the Nigam must be maintained for every employee of Class III and IV holding substantive post in permanent establishment or officiating in a post or holding temporary post except in the case of employees officiating in a post or holding temporary posts who are recruited for purely temporary or officiating vacancies for short periods and are not eligible for permanent appointment.

Service Book shall be maintained from the date of first appointment of an employee. It must be kept in the custody of the Head of the Office in which an employee is serving and transferred with him from time to time.

76. Entries in Service Book:

- (i) Every step in an employee's official life must be recorded in his service book and each entry must be attested by the Head of his office, or if he himself is the Head of an office, by his immediate superior. The Head of the Office must see that all entries are duly made and attested and that the book contains no erasure or overwriting, all corrections being neatly made and properly attested.
Note: A Head of office may, in respect of the employee under his control, delegate his authority of attestation to an officer of class I or II.
- (ii) Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration in an entry made across the page of the Service Book and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made.
- (iii) Personal certificates of character must not, unless the Head of the Department so directs, be entered in Service Book, but, if an employee is reduced to a lower post, the reason of the reduction must be briefly stated.
- (iv) It is the duty of every employee to see that his service book is properly maintained as prescribed in this chapter.

The Head of office should therefore permit an employee to examine his service book, should be at any time desire to do so.

- (v) The form of the service book also requires that every entry in it should be signed by the employee concerned. The entries in the service book should be posted upto the 31 st March every year and must be shown to the employee concerned and his signatures obtained by the 30th of June each year.
- (vi) If an employee is transferred to foreign service, the Head of his Office must send his service book to the Chief Accounts Officer who will return it after noting in it, under his signatures, the order sanctioning the transfer the effect of transfer in regard to leave during foreign service and any other particulars considered necessary. On the employee's re-transfer to the Nigam's service, his service book must again be sent to Chief Accounts Officer who will then note in it, over his signatures all necessary particulars connected with the foreign service. No entry in the Service Book relating to the time spent in foreign service may be attested by any authority other than the Chief Accounts Officer.

**Government of Rajasthan
Finance (Group-2) Department**

No. F.1 (77) FD/Rules/69 III

Jaipur: Dated 28th August, 1974

Sub: - Expeditious disposal of pension claims.

Government are anxious to see that every Government servant gets pension from the date he retires. With this and in view of the procedure for application and grant of pension has been liberalised from time to time and numerous instructions have been issued by the Finance Department and Department of Personnel outlining the measures which should be taken by the Heads of Offices/Departments for prompt settlement of pension claims of Government Servants. The latest instructions to this effect are contained in Finance Department Memo No. F. 1(77) FD(Rules)/69 dated 14.5.1973. Despite all these instructions there has not been satisfactory progress in the matter of finalization of pension claims.

With a view to ensure prompt settlement of pension claims, the following instructions are issued for guidance and strict compliance.

(i) **Duplicate Service Book:**

In accordance with provisions contained in Government of Rajasthan Decision No. 2 & 3 below Rule 160 of Rajasthan Service Rules, every non-gazetted Government servant should be supplied duplicate copy of service book. This system was introduced primarily with the object that in case service record of a Government servant is not available at the time of his retirement, his service can be verified with the help of the duplicate copy service book. Heads of department /Heads of Offices are, therefore, requested to bring the aforesaid provisions to the notice of all non-gazetted Government servants so that they may earning interest in maintaining duplicate service book up to date for their own advantage. Duplicate service book after recording up to date entries, may be supplied to each and every non-gazetted Government servants at the earliest with instructions that they should get the subsequent entries recorded in the duplicate service book under proper

attestation once in a year.

(ii) Completion of Service Record in case of transfer from one Department / Office to another:

In case of transfer of a Government servant, it is the responsibility of the Head of Department /Office to see that entries in respect of service rendered by the Government servant up to the date of relieve are correctly recorded in his service book before it is transmitted to the new office.

(iii) Periodical Review of Progress of Completing Service Record:

Heads of Department /Offices should conduct half yearly review of the progress of cases or non complete service record of such employees who are due to retire within a period of two years.

(iv) Responsibility of Head of Office to prepare Pension Papers:

Rule 287 of the Rajasthan Service Rules has been recently amended vide Finance Department Notification No. F1.(14)FD(Gr.2) 74 dated 23.4.1974. It provides that every Head of Office is now required to undertake the work of preparing pension papers two years before the date on which a Government Servant is due to retire on superannuation or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier. If these provisions are strictly followed there is no reason why a Government servant cannot get pension on the date on which he retires from service. Failure to observe these provisions by a Head of Office/Department shall be treated as dereliction of duty, and consequently he will render himself liable to disciplinary action under Rajasthan Civil Services (Classification, Control & Appeal) Rules.

(v) Verification of Accounts of Advances:

According to the existing practice the Accountant General Rajasthan sends a statement of balances as at 31st March in respect of House Building Advance & Conveyance Advance to the concerned Government servants and obtain acknowledgement. This done with a view to ensure that recoveries made from pay bills have been credited to their respective accounts and in case of missing credits, the audit department may initiate action to locate the credits. It is, therefore, enjoined upon all concerning Government servants that they should invariably acknowledge the balances or may point out the deficiencies or inaccuracies in balances to Accountant General. It is all the more necessary that they should also check up their loan accounts maintained in audit office well before retirement so that settlement of pension claims is not delayed on this accounts.

Sd/-

(L.N. Shandilya)

Dy. Secretary to Government

[Endorsed by the Board vide No. RSEB/Rules/F.8(7)/D.98 dated 22.11.74/3.12.74]

CHAPTER VIII

77.(a) The employees of the Nigam and their families shall be entitled to such medical facilities, as may be laid down by the Nigam.

(b) For the purpose of providing medical facilities, the Nigam may make arrangements with authorised medical practitioners and such Hospitals and Dispensaries and Pharmacies as may be considered necessary.

Note : Pending issue of the orders of the Nigam under this Regulation, the Rajasthan Service (Medical Attendance) Rules, 1958 and any orders relating thereto, issued by Government of Rajasthan amended from time to time and subject to any modification issued by the Nigam, shall apply.

(c) The medical facilities under these Regulations will not be admissible to those employees who are covered by contributory Health scheme under the Employees State Insurance Scheme.

**LIST OF AUTHORITIES COMPETENT TO EXERCISE THE POWERS UNDER THE
RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LIMITED EMPLOYEES SERVICE
REGULATIONS**

(Reference: Regulation 3 (v))

S.No.	Service Regulation No.	Nature of Power	Competent Authority	Extent
1	5	To waive upper age limit	Deleted	Deleted
2	10	Power to dispense with medical certificate of fitness at the time of appointment to Nigam's service	Deleted	Deleted
3	12 (b)	Power to suspend lien	Chairman and Managing Director	Subject to the provision of Regulation 12.
4	14	Power to transfer the lien	Chairman and Managing Director	Subject to the provision of Regulation 14.
5	15	Power to transfer officers class I and II	(i) CMD (ii) Director (Tech.) (iii) Director (Fin.)	Full Powers. Full powers in the case of all officers of technical wing. Full powers in the case of all officers of Accounts wing.
6	15	Power to transfer class III staff technical	(i) Chief Engineer (ii) Superintending Engineer of a Circle (iii) Executive Engineer of the Division	Full powers when transfer is from one Circle to the other within jurisdiction. Full powers when transfer is within a Circle and with the consent of the Superintending Engineer of other Circle to and from which the transfer is made in the case of transfer outside the Circle. Full powers when transfer is within a Division
7	15	Power to transfer: 1. Section Officer 2. Personal Asst 3. Statistician 4. Legal Assistant 5. O.S. Gr. I 6. Steno Gr. I	(i) CMD (ii) Secretary (Admn.)	Full powers Full powers in respect of the posts under his respective administrative control or for which he is cadre controlling authority and for other posts in consultation with the Head of Dept when transfer is from the jurisdiction of one HOD to another HOD.
8	15	Power to transfer following staff class III non-technical other	(i) Secretary (Admn.)	Full powers in respect of the posts under his respective administrative control or for which he is cadre

		<p>than Accountants and Internal Auditors:</p> <ol style="list-style-type: none"> 1. Office Supdt. II 2. Steno Gr. II 3. Stock Verifier 4. UDC (including Store Keepers and Cashiers) 5. Junior Accountants 6. Statistical Assistants 7. Computer 8. Assistant Personal Officer 9. LDC (including Assistant Store Keepers, Cashiers, Telephone Operator and Teleprinter Operators) 	<p>(ii) Chief Engineer</p> <p>(iii) Chief Controller of Accounts</p> <p>(iv) Superintending Engineer</p> <p>(v) Executive Engineer</p>	<p>controlling authority and for other posts in consultation with concerned Head of Dept. when transfer is from the jurisdiction of one HOD to another HOD.</p> <p>In the case of transfer in his office and in subordinate offices when transfer is from one Circle/office to the other in case of LDC and UDC only.</p> <p>In the case of staff in their respective offices.</p> <p>Full powers in cases where transfer is within the Circle and with the consent of the SE of other circle when transfer is outside the circle in case of LDC and UDC only.</p> <p>When transfer is within the Division in case of LDC and UDC only.</p>
9	15	<p>Power to transfer:</p> <ol style="list-style-type: none"> 1. SAS Accountants 2. Divisional Accountants 3. Divisional Auditors 4. Accountants 	<p>(i) Director (Fin.)</p> <p>(ii) Chief Controller of Accounts</p> <p>(iii) Controller of Internal Audit</p> <p>(iv) Chief Accounts Officer</p>	<p>Full powers.</p> <p>Full powers.</p> <p>Full powers in respect of staff under his control.</p> <p>Full powers in respect of staff working under his control.</p>
10	16	<p>To waive the period of notice for quitting service/for terminating service</p>	<p>Chairman and Managing Director</p>	<p>Full powers</p>
11	30	<p>To sanction annual grade increments</p>	<p>(i) Chairman and Managing Director</p> <p>(ii) Director (Technical)</p> <p>(iii) Chief Engineer</p>	<p>Full powers in case of Secretary, Dy. Secretary (GAB), Assistant Secretaries (GAB), P.S. to Chairman & Managing Director.</p> <p>Full powers in case of Chief Engineers.</p> <p>Full powers in case of SE's, Statistical Officer, Chemist, Estt. Officer, Personnel Officer Labour Welfare Officer and other officers of class I and II in CE's office.</p>

			(iv) Director (Finance)	Full powers in the case of Chief Accounts Officer, Director (IA), Deputy Chief Accounts Officer, Dy. Secretary (Accounts).
			(v) Superintending Engineer	Executive Engineers under them.
			(vi) Executive Engineers	Asst Engineers under them.
			(vii) Chief Controller of Accounts	Deputy Chief Accounts Officer, Accounts Officer and Asstt. Accounts Officer & Accountants working under his control.
			(viii) Controller of Internal Audit	Accountants working under his control Audit Officers, Internal Auditors working under his control.
			(ix) Head of office	In case of class III and IV employees.
12	30 (b)	Power to allow an employee to count extraordinary leave for increments	(i) Chairman and Managing Director	Full powers in respect of class III and IV staff.
			(ii) Chairman and Managing Director	Full powers when extraordinary leave is availed of on grounds beyond the control of the Nigam's employee.
13	33	To permit an employee to undertake work other than that of the Nigam and to accept fees for that work	Chairman and Managing Director	Full Powers
14	35	Power to sanction specifically the undertaking of work of occasional character or of special merit, where extraordinary long working hours have to be observed by particular class III and IV employees and to grant of honorarium	(i) Chairman and Managing Director	Full powers.
			(ii) Chief Engineer / Secretary (Admn.) / CCOA	Full powers in respect of class III and IV staff
			The amount of honorarium granted under (i) and (ii) above shall not exceed the following limits in each case.	
			1. For extra work of less than 24 hours	Nil
			2. For extra work of 24 hours and above but less than 60 Hours, provided that extra hours on a particular date is above one hour.	1% of basic pay i.e. sum of pay in running Pay band and grade pay

			3. For extra work of 60 hours and above but less than 120 hours. 4. For extra work of 120 hours and above but less than 180 hours 5. For extra work of 180 hours and above but less than 240 hours 6. For extra work of 240 hours and above	2% of basic pay i.e. sum of pay in running Pay band and grade pay 4% of basic pay i.e. sum of pay in running Pay band and grade pay 5% of basic pay i.e. sum of pay in running Pay band and grade pay 7% of basic pay i.e. sum of pay in running Pay band and grade pay
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Subject to the overall condition that a Nigam's employee shall not be granted honorarium exceeding 12% of basic pay i.e. sum of pay in the running pay band and grade pay under Revised Pay Scale, 2008, in all during a financial year. This amendment shall be deemed to have come into force w.e.f. 1.1.2007 (Substituted vide order No. 1253 dated 1.10.08 (F&R-532).

15	36	Power to appoint employees and to permit them to hold one or more independent posts in addition to their own duties Powers to make officiating arrangements by permitting employees to hold one or more independent post in addition to their own duties upto four months and to allow officiating pay/allowances for additional posts in accordance with the provisions of the Nigam's rules and orders	Chairman and Managing Director Head of Departments Controller of Internal Audit Chief Controller of Accounts	Full powers for a period not exceeding 8 months. For a period not exceeding 4 months provided that the posts have a clear and well defined charge or sphere of responsibility Internal Auditors working under his control. For Accountants working under his control
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Note: 1. Pay and allowances for Dual charges or the charge allowance for performing duties of additional post shall be regulated in accordance with Government clarification No. F 18(28)/F.11/55 dt. 9.8.62 appearing below Rule 35 and 50 of Rajasthan Service Rules as amended from time to time.

Note: 2. Ordinarily a Nigam's employee posted at a particular station shall not be permitted to take over charge of another post at a station or place different from his own headquarters and to discharge the functions and responsibilities of the additional post at that station in addition to duties of his own post. However, in case of employees equivalent to Asst. Engineers and above, if in exceptional circumstances it is

considered necessary to make such arrangements in the interest of the Nigam's work, such arrangements shall be permitted by the authority competent to make arrangements at same station. Notwithstanding anything contained in the relevant regulations, the charge, allowance and travelling allowance for the journeys performed by the employee shall be regulated as below (a) Charge allowance for performing duties of additional posts shall be allowed in accordance with the provisions of Govt. clarifications dated 9.8.62 appearing below Rule of Rajasthan Service Rules as amended by Govt. from time to time. (b) For the journeys undertaken from the headquarters of his regular post to the other station for performing duties of additional post, only mileage allowance (including incidental charges) shall be admissible. No halting allowance for the days of his stay/halt at another station shall be admissible.

15 (A)	43 (d)	Power to grant permission to take up employment during leave preparatory to retirement	Chairman and Managing Director	Full Powers.
16	45 to 51	Powers to sanction all kinds of leave admissible under these regulations except study leave and special disability leave	<p>1. Chairman and Managing Director</p> <p>2. Director(Fin.)</p> <p>3. Director (Technical/ Operations)</p> <p>4. Secretary (Admn.)</p> <p>5. Chief Engineer/ Zonal Chief Engineer /Addl. Chief Engineer /Dy. Chief Engineer</p> <p>6. Chief Controller of Accounts</p> <p>7. Superintending Engineers</p>	<p>Full Powers.</p> <p>Full powers in respect of officers and staff of Accounts Dept.</p> <p>Full powers in respect of officers and staff of Technical Dept.</p> <p>Full powers in respect of DDP / Deputy Secretary /Asst. Secretary /OSD /PO/Law Officer / Statistical Officer /Chemist and in respect of class III employees of GAB.</p> <p>1. Full powers in respect of the officers up to the rank of Executive Engineers 2. Full powers in respect of class III employees under their respective jurisdiction and up to 30 days in respect of Accountant / Jr. Accountant.</p> <p>Full powers in respect of class III employees of the Accounts Dept & Audit Deptt.</p> <p>1. Full powers in respect of officers' upto and equivalent to the rank of Assistant Engineers. 2. Full powers in respect of Class III employees under their respective jurisdiction and upto 30 days in respect of Accountants/IA/Rev. Acctts/Sub-Divl. Acctts. under their control.</p>

			8. Executive Engineers & other Heads of office 9. Appointing Authorities	Upto two months in respect of class III & IV employees and upto 30 days in respect of Acctt/IA/Rev. Acctts under their jurisdiction. Full powers in respect of class IV employees.
17	44 (i)	To sanction leave to an employee during pendency of disciplinary proceedings.	Chairman and Managing Director	To the extent leave admissible under the regulation
18	52 to 53	To sanction study leave and special disability leave	(i) Chairman and Managing Director (ii) Secretary (Admn.) /other Head of Departments	Full powers. Full powers in respect of class III employees under their control.
19		Powers to prescribe Headquarters of employees and their sphere of duty	Chairman and Managing Director	Full Powers.
20	57	Power to transfer an employee to foreign service (including Govt.) and to fix his pay and allowance	Chairman and Managing Director	In case of class III employees, provided the pay in foreign service does not exceed the pay other than special pay, personal pay which the employee would draw from time to time in the Nigam's service by 20% of that pay or the pay of the post to which he is transferred according to the Rules of the Govt. or the Nigam to which he is transferred.

Appendix-I substituted vide order No.RVPN/AAO/F&R/F.1(Pt.-III)/D.200 dated 20.12.2011
(RVPN F&R No. 775)

Appendix II
(See Regulation --4)

- 1 Peon-Gate-Keeper
- 2 Chowkidar
- 3 Watchman
- 4 Guards
- 5 Sweeper
- 6 Cook
- 7 Attendant-Cum-Cook
- 8 Gardner
- 9 Library Boy
- 10 Cleaner

Note: The above will also include the post, if any, not included and the post to be created in future as may be classified in class IV cadre.

RAJASTHAN STATE ELECTRICITY BOARD
(Accounts & Finance Branch)

No.RSEB/A&F/F.14/Del/D/70

Jaipur : Dated 21st Oct.1970

ORDER

The Chairman in consultation with the Accounts and Finance Member is pleased to vest the following additional powers with the Controller of Accounts:-

- (1) To sanction all kinds of leave other than study leave to Accounts Officers, Internal Audit Officers and Assistant Accounts Officers of the Board.
- (2) To make officiating arrangement during the leave period of Officers mentioned at item No.1 and to permit the Officer to hold one or more independent post in addition to his own duties.
- (3) To allow officiating pay/allowances to the Officers for the period he held one or more independent posts in addition to his own duties in accordance with the provisions of rules and orders of the Board / Government. All pending cases will be dealt with in accordance with the aforesaid delegation.

RAJASTHAN STATE ELECTRICITY BOARD
(Accounts & Finance Branch)

No.RSEB/A&F/F.14/D.57

Jaipur : Dated 16th June,1969

ORDER

Subject to ratification by the Board and in continuation to this office order No.RSEB /S.3/F.3(180) D.387 dated 9th December, 1968 and RSEB /A&F/ F.295/D.37 dated 24th March, 1969, it has been decided that for administrative convenience the Secretary shall exercise all the powers vested in Chief Engineer under the RSEB Employees (C.C.A) Regulations, 1962, RSEB Ministerial Staff Regulations, 1962, RSEB Employees Service Regulations, 1964, RSEB (CPF) Regulations, G.F.& A.R. and other financial and service rules in respect of financial and administrative matters etc. pertaining to the Project Circle. All pending cases shall be decided under this delegation.

The Superintending Engineer (Project) will be the Head of Office of his Circle. The Assistant Accounts Officer (EA) will be the Audit Officer and Accounts Officer (Cash) shall be the Accounts Officer for disbursements of payments and maintenance of Accounts etc. in place of Assistant Accounts Officer (CE).

RAJASTHAN STATE ELECTRICITY BOARD
(Accounts & Finance Branch)

No.RSEB/A&F/F.14/D.57

Jaipur : Dated 7th Sept.,1970

ORDER

Subject to ratification by the Board the Chairman in consultation with the Accounts & Finance Member is pleased to vest the following additional powers to the Chief Engineer and the Addl. Chief Engineer, RSEB, Jaipur.

1. to sanction all kinds of leave other than study and disability leave to Executive Engineers upto 2 months.
2. powers to sanction all kinds of leave other than study leave to Class II Officers.
3. to make officiating arrangement during the leave period mentioned at item 1 & 2 above and to permit the officer to hold one or more independent post in addition to his own duties.
4. to allow officiating pay/ allowance to the officer for the period he held one or more independent post in addition to his own duties in accordance with the provisions of the rules and order of the Government/ Board.

The aforesaid powers shall be exercised by the Chief Engineer and Addl. Chief Engineer in respect of the officers working under their respective jurisdictions. These powers in respect of Establishment Officers, Personnel Officers and Assistant Personnel Officer will , however, be exercised by the Chief Engineer.

While making officiating arrangement during the leave vacancy, the senior most Officer of the Office concerned will, as far as possible, be given the additional charge.

The Board order No.RSEB/A&F/F.14/D.3115 dated 1/5th December, 1967, shall be treated to have been modified to the above extent.

All pending cases will be dealt with in accordance with the aforesaid delegation.

RAJASTHAN STATE ELECTRICITY BOARD
(Accounts & Finance Branch)

No.RSEB/A&F/F.14/Del-4/D.5

Jaipur : Dated 18th Jan.,1971

Sub:- Delegations of Powers

The Chairman is pleased to delegate the following powers to the Deputy Secretary (Estt.)

1. Powers to sanction all kinds of leave to the Executive Engineers and other officers whose minimum of the time scale is not more than Rs.700/-.
2. Powers to make officiating arrangement during the leave vacancy of officers to whom the leave has been sanctioned under para 1 above.
3. Powers to sanction officiating pay/ allowance etc. in accordance with the Rules/Regulations and orders on the subject, for the period of dual arrangements made to fill temporarily the vacancy caused on account of leave, transfer, promotion, resignation, termination, or dismissal of any officer of the Board other than Heads of Departments and Directors.
4. Powers to sanction house rent allowance or countersign house rent allowance certificate in respect of the Heads of Departments and other officers of the Board.
5. Powers to permit officers to change residential accommodation at enhanced rent and to authorize drawal of house rent allowance on the basis of that rent.

The aforesaid delegation will not derogate the powers already vested with the various authorities.

All pending cases will be dealt with the decided under the aforesaid delegation.

RAJASTHAN STATE ELECTRICITY BOARD
(Accounts & Finance Branch)

No.RSEB/A&F/F.14/Del-6/D.64

Jaipur : Dated 17th Sept.,1970

ORDER

The Chairman in consultation with the Accounts & Finance Member is pleased to decide as follow:

1. The Controller of Accounts, Rajasthan State Electricity Board, Jaipur shall henceforth be under the administrative control of the Accounts & Finance Member.
2. The Controller of Accounts shall be Head of Department Class-I of the Accounts Organization. He will exercise all the financial and other powers delegated to a Head of Department Class-I under the Financial and service rules and orders of the Government/ Board issued from time to time, without derogating from the additional powers already delegated to him.
3. The Circle Accounts Officers and the staff posted in the Circle Accounts Offices shall be under the administrative control of the Controller of Accounts.
4. In addition to the powers already delegated to him, the Controller of Accounts shall also exercise the following powers under service regulations of the Board:-

- (a) Powers to make appointment of Stenographer Gr.II and III, Office Superintendent Gr.II, Assistants, U.D.Cs, Accounts Clerks and L.D.Cs.
- (b) Power to dispense with medical certificate of fitness at the time of appointment of Board servant in case of employees of Class-III &IV under his administrative control.
- (c) Power to suspend and transfer lien in respect of staff for which he is the appointing authority.
- (d) Power to waive period of notice for quitting service/ terminating service in cases of class IV employees under him.
- (e) Power to transfer Class III &IV employees under him.
- (f) Power to sanction annual grade increment to the Accounts Officers and the Class III & IV employees under him.
- (g) Power to allow Class III & IV employees to count extra ordinary leave for increments if the leave is taken on account of illness.
- (h) Power to permit Class III employee to undertake work other than that of the Board and to accept fees for such work.
- (i) Power to grant honorarium to Class-III & IV employees.
- (j) Power to appoint a Class III employee to hold one or more independent posts in addition to his own duties.
- (k) Power to sanction all kinds of leave to Class III & IV employees except study leave.
- (l) Power to sanction leave to an employee of III & IV Class under pendency of disciplinary proceedings.

Consequently to the aforesaid decision/delegation, the following amendments may please be made in the Board's Service Regulations:-

In RSEB Ministerial Staff Regulations, 1962.

I. Add the words "Controller of Accounts" in regulation 3(e) after the words "Chief Engineer".

II. Insert the following as item (iii) in regulation 5(2) and item 3 in regulation 5(5):-

Name of Office	Controlling authority
Controller of Accounts and the offices subordinate to him	Controller of Accounts

III. Add "COA" after "CIA" in column 3 against item 3, 12, 13 of schedule I.

In the list of authorities who exercise powers of the competent authorities under RSEB Employees Service Regulations and in Schedule II of the RSEB Employees (CCA) Regulations, substitute the words "Controller of Accounts" for "Chief Accounts Officer" wherever appearing.

This order will be in supersession of item 1 (iii) and in partial modification of item (iv) of the Order No.RSEB/A&F/Del./COA/2008 dated 17th October, 1967 and will be effective from the date of issue. Pending cases, however, shall be dealt with under the aforesaid delegation.

No.F.1(19)FD/Rules/72

Jaipur: Dated 15th Sept.,1972

MEMO

Sub: Appointment of 'Substitute' in leave vacancy.

A question has been raised as to whether a person who is appointed as a substitute in a vacancy caused due to the Government Servant being on leave, training, foreign service etc.is entitled to leave (including causal leave and other concessions of house rent allowance, free medical treatment and attendance including medical re-imburement) during his tenure of appointment as substitute.

The matter has been examined and it is clarified that a substitute is entitled to only pay, special pay attached to the post and dearness allowance on such pay and adhoc relief according to rules. The concessions of house rent allowance, free medical facilities etc.as admissible to regular Government servant are not admissible to him. Similarly, no leave(including leave) will be admissible to him except leave without pay which may be sanctioned by the authority competent to sanction leave.

Past claims already settled otherwise may not be re-opened.

No.RSEB/Rules/ESR/D.33

Jaipur: dated 7th May, 1974

NOTIFICATION

Sub: Grant of special casual leave to male employees of the Board whose wife undergoes a Non-purperal Tubectomy Operation under the Family Planning Programme.

The Rajasthan State Electricity Board in its 199th meeting held on 18th April, 1974 decided that a male employee of the Board whose wife undergoes a Non- purperal Tubectomy Operation under the Family Planning Programme may be granted special causal leave upto 7 days subject to production of Medical Certificate from the Doctor who performed the

operation that the Board employee is essential for the period of leave to look after his wife during her convalescence after operation.

No.RSEB/Rules/ESR/D.17

Jaipur: dated 25th Feb., 1975

CIRCULAR

Sub: Privilege Leave- Surrender and encashment thereof.

Under provisions contained in Regulation 36 of the RSEB Employees Service Regulations, 1964, courses are open to the competent authority to fill a vacant post by making fresh appointments. As a result of allowing concession of encashment of privilege leave to the Board's employees vide this office order No.RSEB/Rules/ESR/D.2 dated 13-1-1975, continuous vacancies would now be available in offices due to employees proceeding on privilege leave with a view to get encashment benefit. If these vacancies are filled in by competent authorities by making fresh appointments, it would entail additional expenditure.

The matter has, therefore, been considered and it has been decided that henceforth whenever a post falls vacant due to the Board's employees proceeding on leave, it should not be filled in by making fresh appointments. The Competent authority should either (i) distribute the work among other members of the staff and keep the post unfilled or (ii) appoint any Board's servant on the post in addition to his own duties.

RAJASTHAN STATE ELECTRICITY BOARD

No.RSEB/Rules/ESR/D.26

Jaipur : Dated 18th March,1975

ORDER

Under Regulation 5(i) of the Employees Service Regulations, 1964, the age of a person at the time of initial appointment to the service of the Board is 16 years minimum and 28 years maximum except in specified cases where relaxation is permissible or allowed. Age, under regulation 5(iv) of the Employees Service Regulations, 1964, will be compute from the date of birth as given in the Higher Secondary / Matriculation and/ or School Leaving Certificate. It is expected of each individual at the time of initial appointment to the service of the Board to produce evidence in proof of his age immediately at the time of joining or at the latest within 3 years from the date of joining the service under Regulation 5(vii) of the said Regulations.

Other evidence in proof of age shall be considered only if the appointing authority is not in a position to satisfy himself under some genuine circumstances that the Higher Secondary

/Matriculation and /or School Leaving Certificate is available. The other alternative left thus is the Medical Certificate from Principal/ Distt. Medical Officer of the Government of Rajasthan or any medical practitioner approved by RSEB.

The cases have come to the notice of this office that without obtaining and examining the Matriculation Certificate, Higher Secondary Certificate or School Leaving Certificate, the Unit officers depend upon the certificates issued by the Medical Officer/ Practitioner of the Government, which is not correct.

It has also come to the notice that service records etc. of the Board employee is not maintained properly, which results delay in preparing seniority and retirement cases of the individual employee at appropriate time on reaching the superannuation age, besides causing undue hardship to them in settlement of their cases, particularly the date of birth is recorded in the Service book at the time of initial appointment of the candidates and it is only at the time of retirement that the cases of such nature are brought out for correction of the date of birth which so often give rise to un-necessary litigation. To avoid such a situation in future, it is enjoined upon all the concerned that they furnish invariably the proof of their date of joining under all circumstances as provided under regulation 5(vii) of the RSEB ESR, 1964 after their initial appointment and get the entries recorded in the Service Book /Service Roll with their dated initials in the prescribed column of the Service Book/ Service Roll in token of the correctness of the date of birth recorded therein. The Heads of offices would ensure completion of the service book upto date under dated initials of the individual concerned. Failure to this, it will be presumed that the date of birth recorded in the service book/ service roll is correct.

It is, therefore, enjoined upon all concerned that they should lay reliance on the medical certificate only if the preliminary sources of ascertaining the date of birth such as Matriculation/Higher Secondary Certificate/ School Leaving Certificates have been exhausted and adhere to other instructions for maintaining upto date service book/ record invariably to avoid complications in future.

This circular may please be given wide publicity and acknowledged.

RAJASTHAN STATE ELECTRICITY BOARD
(Finance & Rules Section)

No.RSEB/F&R/F.5(17)/D.34

Jaipur : Dated 22nd July, 1983

ORDER

It has been observed that cases involving interpretation of RSEB Employees Service Regulations, RSEB Technical Workmen Regulations, RSEB (CC&A) Regulations etc. are referred to Legal Section for advice directly by various sections of the Board Secretariat as well as certain field Officers. Since the position with regard to interpretation of provisions contained in various Regulations is well settled and has stood the test of time as these regulations are being applied for several years, ordinarily there should be no necessity of referring individual cases for opinion of Legal Section. However, in cases, in which some doubts arise with regard to interpretation of specific provisions, a reference should be made to Finance & Rules branch of the Board.

It is, therefore, enjoined upon all concerned that the cases, in which it is considered necessary to seek clarification with regard to interpretation of provisions of Service & other Regulations, should be referred to Finance and Rules branch of the Board. No such case shall be referred to Legal branch of the board without obtaining specific approval of the Secretary.

By Order
Sd/-
(C.R.Mehta)
Secretary

No.F.4(52) FD(Gr.2)/76
1976

Jaipur: Dated 22nd Nov.,

MEMORANDUM

Sub: Counting of temporary/ officiating service rendered by member of Jodhpur Contributory Provident Fund- Clarification regarding.

1. The undersigned is directed to refer to Finance Department Order No.F.23(5) R/52 dated 23-4-1955 appearing as clarification below Rule 168 of Rajasthan Service Rules wherein the provisions of para (iii) interalia provides that whole of the officiating / temporary service of Government servant on Contributory Provident Fund Scheme would have qualified for pension, had the provisions of rule 180, 188 and 188A of Rajasthan Service Rules been applicable to such persons. Rule 188A was subsequently amended vide Finance Department Order No.F.1(51) FD(A) Rules/61 dated 18-12-1961 which provides for counting of temporary and officiating service under Government followed without interruption by confirmation in the same or any other post except the period of temporary or officiating service in non-pensionable establishment or period of service rendered in a work charged establishment. Doubts have been expressed about the exact meaning and scope of the provisions contained in para (iii) of the aforesaid Clarification in regard to counting of temporary and officiating service rendered by the Government servant on Jodhpur Contributory Provident Fund Scheme.
2. It is, therefore, clarified that past services of such a Government servant who has elected to opt for pension in lieu of Contributory Provident Fund benefits shall be deemed to have been rendered ab initio in a pensionable establishment and shall count as qualifying service for pension in the manner and to the extent provided for in the pension rules contained in Rajasthan Service Rules from time to time. In the case of Government servants of the

covenanting State of Jodhpur who did not subscribe to contributory provident fund at all, irrespective of whether they were temporary or permanent, shall be automatically deemed to have opted for the pension rules contained in Rajasthan Service Rules ab initio on the coming into force of the Rajasthan Service Rules.

3. Cases decided otherwise than in accordance with the aforesaid clarification may now be finalized in accordance with these orders.

Sd/-
(M.S.Sadasivan)
Financial Commissioner & Secy.
to Government

(Endorsed by the Board vide No.RSEB/F&R/F.18(3) D.30 dated 15-1-77)

No.RSEB/F&R/F.15(29)/D.80

Jaipur: Dated 24th Aug., 1975

ORDER

The demand raised by the PVMM Federation for the grant of leave to drawing staff under the provisions of the RSEB Employees Service Regulations, 1964 was considered by the ad-hoc Committee headed by the Accounts and Finance Member constituted to consider the demand charter of PVMM Federation dated 4-5-1974. the committee has recommended that w.e.f. 1-1-1976 the grant of leave to drawing staff may be governed by the provisions of the RSEB Employees Service Regulations, 1964 with the condition that no revision of leave account would be made for the past period.

The Board in their 237th meeting held on 28-2-1976 has been pleased to approve that the grant of leave to drawing staff be governed under the RSEB Employees Service Regulations, 1964 w.e.f. 1-1-1976. No revision of leave account will be made for the period prior to 1-1-1976.

The E&M Department Technical Employees Leave Rules, 1955 will accordingly ceases to be operative in the case of the drawing staff.

By Order
Sd/-
(Rajendra Jain)
Secretary

**RAJASTHAN STATE ELECTRICITY BOARD
(Finance & Rules Section)**

No.RSEB/F&R/ESR/D.5
1978

Jaipur : Dated 12th Jan.,

ORDER

Sub: Regulation of compensatory allowance of Government Servants who are on deputation.

It has been provided in the RSEB ESR, 1964 under the "Terms and Conditions of deputation of Board employee" that an employee who is sent on deputation may elect to draw compensatory allowance other than D.A. either according to the rules applicable to him in his parent Department / Organisation or according to the rules of the borrowing Department whichever is advantageous to him.

It has come to the notice that certain employees who are on deputation from Government of India (Accountant General's Office) and who have opted to draw pay in the pay scale of parent department with deputation allowance have been placed in a disadvantageous position in the matter of entitlement to house rent allowance according to the rules of Board as compared to the Board's employees drawing pay in the Revised New Pay Scales, 1976 on account of consequential changes made in the rules regulating compensatory allowance like T.A., H.R.A., C.C.A. and Project Allowance etc. on introduction of Revised New Pay Scale Rules, 1976 after merging of all components of D.A.

The matter has been examined and the Chairman in consultation with the Accounts & Finance Member has decided that as a result of introduction of Rajasthan Civil Services (Revised N.P.S.) Rules, 1976 aforesaid employees on deputation to the Board may be given fresh opportunity to exercise option in respect of house rent allowance admissible to them under item 5 of the "Terms and conditions of deputation of Board employees" so that they elect to be governed by the rules applicable to them in the parent department or according to the rules/regulations of borrowing authority whichever proves more advantageous to them. The option would be deemed to have been exercised w.e.f.1-9-76 or date of joining the Board on deputation whichever is later and their claims in respect of house rent allowance will be regulated accordingly.

This is subject to ratification by the Board.

By Order
Sd/-
(N.K. Verma)
Secretary

No.F.1(3) FD(Gr.2)/76

Jaipur: Dated 5th Feb., 1981

MEMORANDUM

Sub: Transfer of Government Servant on deputation/ Foreign Service to other Governments Public Sector Undertakings, Autonomous Bodies, Government Companies etc. Grant of Deputation (Duty) Allowance.

The Governor has been pleased to order that in the Finance Department Order of even number dated 23-1-1975 as amended from time to time the following amendments shall be made, namely:-

- (i) For the existing para 3(i), the following shall be submitted, namely, 3(i) the Deputation (Duty) Allowance shall be @ 14% of the basic pay of the employee subject to a maximum of Rs.250/- p.m.
- (ii) For the existing para 3(iv), the following shall be substituted, namely :- "3(iv) In cases of persons transferred on deputation or foreign service within the same station, the deputation (duty) allowance referred to in clause (i) above shall be @ 7% of the employees basic pay subject to a maximum of Rs.100/- p.m. Whether a person goes to the same station or not for this purpose will be determined with reference to the station where he was on duty before proceeding on deputation / foreign service".
- (iii) The existing para 5 shall be deleted.

2. These orders shall also be applicable to Government Servants who are already on deputation on the date of issue of these orders.

3. This order supersedes the Finance Department order of even number dated 20-6-1980 and 2-12-1980.

By order of the Governor
Sd/-
(M.L.Gaur)
Dy. Secretary to Govt.

(Endorsed vide order No.RSEB/F&R/D.43 dated 20-10-81 effective from 5-2-81)

**RAJASTHAN STATE ELECTRICITY BOARD
(Finance & Rules Section)**

No.RSEB/F&R/F.16(2)/D.48

Jaipur : Dated 2nd Nov., 1983

ORDER

The Board in its 328th meeting held on 31st October, 1983, decided that the officiating arrangement under Rule 35 and 50 of Rajasthan Service Rules, shall be regulated, in respect of the employees/officers of the Board whose pay scales are linked with Pay Scales of the State Government under Rajasthan Civil Services (Revised Pay Scales) Rules, 1983 adopted by the Board vide order No.RSEB/F&R/F.16(2)/D.46 dated 2-11-83 in accordance with Finance (Gr.2) Department order No. F.1(46)FD(Gr.2)/82-II dated 17th Feb.1983 appended herewith.

This order shall take effect from the date of its issue.

By Order
Sd/-
(M.K. Saxena)
Secretary

(Appendix to order No.RSEB/F&R/F.16(2)/D.48 dated 2-11-83)

GOVERNMENT OF RAJASTHAN
Finance (Gr.2) Department

No.F.1(46) FD(Gr.2)/82-II

Jaipur : Dated 17th Feb., 1983

ORDER

Sub: Officiating arrangement under Rules 35 and 50 of Rajasthan Service Rules.

The Governor has been pleased to order that in the Clarification appearing below Rule-35 of Rajasthan Service Rules inserted vide Finance Department order No.F.8(28) F-II-55 dated 9th August, 1962, the existing expression "10%" and "20%" wherever occurring shall be substituted by the expression "8%" and "16%" respectively.

2. These orders shall be deemed to have come into force w.e.f. 1st September, 1981.

By order of the Governor
Sd/-
(Otima Bordia)
Secretary to Govt.

RAJASTHAN STATE ELECTRICITY BOARD
(Finance & Rules Section)

No.RSEB/F&R/F.5(17)/D.4

Jaipur : Dated 29th Jan., 1986

CLARIFICATION

Sub: Casual Leave

To clarify the question as to whether casual leave of a year can be combined with the casual leave of next year, or not, it is clarified that combination of casual leave of a year, is not permissible with the casual leave of next year. For example a Board employee on casual leave at the end of the year viz. on 31st December, shall not be allowed to avail casual leave on commencement of the next year, i.e. on 1st January even though the casual leave of both the years put together does not exceed the prescribed limit of 10 working days at a time.

This clarification shall take effect from 1-1-1986.

GOVERNMENT OF RAJASTHAN
(Finance (Gr.2) Department)

No.F.1(36) FD/Gr.2/88

Jaipur : Dated 27th Nov., 1990

Sub: Regularization of the period of absence from duty of the employees who could not attend office due to imposition of curfew.

On account of out break of riots in any part of the state, Curfew has to be imposed by the District Administration in the affected areas to control the law and order situation and as a consequence of imposition of Curfew, the Government Servants held up in the affected areas can not attend office or may not be able to attend office till imposition of Curfew continues. Some references for regularizing the period of absence from duty of such employees are pending in the Finance Department.

The matter has, therefore, been considered in reference to the previous order of even number dated 7-12-89 and the Governor is pleased to order that whenever such situation arises, the period of absence from duty of the employees who cannot or may not attend office in the duration of curfew in the concerned areas may be regularized subject to verification of facts, by grant of special casual leave to the concerned employee on making of an application by him stating therein that he could not attend office due to imposition of Curfew in the area where he resides or office is located or the areas through which he has to pass for attending the office. Past cases occurred in any part of the state till now will be covered by this order.

By order of the Governor
Sd/-

(Pramilla Khanna)

Dy. Secretary to Government

(Endorsed vide order No.RSEB/F&R/F. /D.2 dated 15-1-91)

RAJASTHAN STATE ELECTRICITY BOARD
(Finance & Rules Section)

No.RSEB/F&R/F.5(17)/D.84

Jaipur : Dated 26th June, 1991

CLARIFICATION

Sub: Casual Leave

In supersession of the clarification No.RSEB/F&R/F.5(17)/D.4 dated 29-1-1986, it is clarified that combination of casual leave of a year is permissible with casual leave of the next year, subject to the condition that the casual leave of both the years put together do not exceed the prescribed maximum limit of 10 working days at a time.

This clarification shall be deemed to have come into force w.e.f. 1st January, 1986.

Sd/-
(Dr. Ashok Singhvi)
Secretary

Annexure 'A' (1)

RAJASTHAN STATE ELECTRICITY BOARD

ORDER

Sub: Privilege Leave Surrender and encashment thereof.

The Rajasthan State Electricity Board in its 213th meeting held on 21st December, 1974 decided to allow the benefit of surrender and encashment of privilege leave to its employees w.e.f. 1st January, 1975 under the following conditions:-

- (i) All employees of the Board including officers but excluding technical sub-ordinate employees who are governed for purpose of leave by the Technical Employees Leave rules will be allowed to surrender the balance of privilege leave to their credit on the date of commencement of leave or any portion thereof, at their option subject to a maximum of thirty days and will be sanctioned leave salary and allowance for the leave so surrendered.
- (ii) Technical Employees governed by the Technical Employees Leave Rules than 15 days will be allowed to surrender the balance of P.L. to their credit on the date of commencement of Leave or any portion thereof, at their option subject to a maximum of 15 days and will be sanctioned leave salary and allowances for the leave so surrendered.
- (iii) In case any employee covered under the RSEB Employees Service Regulations surrender two month's P.L., he will be allowed one month's leave salary in lieu thereof. In the same way in case any person governed by the Technical Employees Leave Rules surrenders one month's P.L., he will be allowed 15 days leave salary in lieu thereof.
- (iv) Leave encashment benefit under Sub-clause (i), (ii) and (iii) will be allowed to the employees in such a way that in one office not more than 4 of the total number of employees (all categories under a leave sanctioning authority) are allowed this benefit in a month, and the working of the office is not effected, provided however that in an office where total number of employees are 25 or less, one employee will be allowed such benefit in a month. Amongst the technical, ministerial and class IV staff working in an office the benefit will be so arranged that the number of employees in above three categories get the benefit according to their proportion. Provided further that in a block of two years by following the above method if some one remains to be allowed this benefit inspite of the fact that it is due to him, such employees shall be allowed this benefit in the last two quarters of the block. Where P.L. is sanctioned centrally by some other office by virtue of such delegation of powers, the sanctioning authority while maintaining the limit of 4% in each category / cadre for sanctioning such benefit will so

arrange the list of the employees in each categories /cadre that in a block of two years all eligible employees who apply for the same get such benefit.

- (v) The concession of encashment of privilege leave surrendered shall be allowed once in a block of two years, first block commencing from 1-1-1975.
- (vi) In case of employees governed by RSEB Employees Service Regulations, 1964, the total of the P.L. actually availed of and the P.L. surrendered shall not exceed 120 days.
- (vii) In case of employees governed by RSEB Standing Orders and covered by Technical Employees Leave Rules, the total of the P.L. actually availed of and the P.L. surrendered shall not exceed 45 days.
- (viii) The number of days of privilege leave surrendered under these orders need not be referred to any particular period but may be reckoned as surrendered on the date of commencement of the actual leave taken and debited against the leave account of the Board employee.
- (ix) The authorities who are empowered to sanction privilege leave will be competent to accept surrender of P.L. In deciding the priority of claims to privilege leave under this order, the following considerations shall invariably be taken into account while permitting surrender of leave for encashment:-
 - (a) The Board employees who can, for the time being best be spared.
 - (b) The amount of leave due to the various applicants.
 - (c) The amount and character of the service rendered by each applicant since he last returned from leave.
 - (d) The fact that any such applicant was compulsorily recalled from his last leave.
 - (e) The fact that any such applicant has been refused leave in the public interest.
- (x) In the case of Board employees who are on the verge of retirement the period of leave surrendered should not exceed the period of duty between the date of expiry of the P.L. actually availed of and the date of compulsory retirement.
- (xi) (a) The amount of leave salary for the period for which leave is surrendered will be calculated in accordance with the provisions contained in regulation 55 of RSEB Employees Service Regulations, 1964 and in addition, dearness allowance, adhoc relief and additional dearness allowance shall be admissible.
 - (b) The leave salary and allowances admissible for the leave surrendered will be equivalent to the leave salary and allowances for the first 30/15 days of the leave

enjoyed. The leave salary and allowances for the surrendered leave shall be worked out as per illustrations given in the appendix to this order.

- (xii) The Leave salary and allowances for the period of surrendered leave will be paid alongwith the leave salary and allowances for the P.L. of not less than 30/15 days actually availed of by the Board employee/ workmen. If the leave salary for the first 30/15 days of the actual leave availed of is drawn in two installments consequent on the leave falling partly in two months, the leave salary for the surrendered leave will be drawn alongwith the second spell of such leave salary, this leave salary is not liable to deductions on account of State Life Insurance Premiums, L.I.C., C.P.F. repayment of any dues to Co-operative society etc. but income tax should be deducted.
- (xiii) The concession shall apply to Board employees who are on foreign service or on deputation to the Government of India or other State Government or any Non-Government body or institution or have been sent on training within the country or abroad.
- (xiv) The benefit of surrender of P.L. will not be allowed in the cases of leave preparatory to retirement or refused leave granted under the leave rules. This concession will also not be available to re-employed persons or those under extension of service.
- (xv) If a Board employee not on the verge of retirement applies for P.L. for 30 days or more and intimates desire to encash a portion of P.L. and is not permitted to proceed on leave in the Board interest, permission for encashment should not be given to him. It is, however, that unless it is absolutely necessary to refuse leave, in the Board's interest in such case, application for leave and surrender of leave should be considered liberally.
- (xvi) If a Board employee who is permitted to surrender leave, voluntarily returns to duty before the expiry of 30/15 days leave, he should not ordinarily be permitted to rejoin duty. If, however such an offer is permitted to rejoin duty, the orders regarding surrender of leave should be cancelled.
- (xvii) If a Board employee has proceeded on P.L. for not less than 30/15 days and he intimated a desire to encash a portion of his P.L. then encashment should be permitted even if he is recalled from leave before he actually remained on leave for 30/15 days.
- (xviii) In cases of compulsory recall to duty, the Board employee may be allowed to enjoy the balance of his leave as soon as he is spared.
- (xix) The term 'leave' used in this order for the purpose of surrender of leave means 'Privilege Leave' only and not any other kind of leave.
- (xx) The concession shall apply to Board employees only w.e.f.1-1-1975.

By Order
Sd/-
(Rajendra Jain)
Secretary

**APPENDIX
ILLUSTRATION No.I**

Period of privilege leave actually taken from 1st March, 1974 to 30th March, 1974 (30days).

Rate of leave salary Rs.360/- per mensem

Leave salary for the surrender of 30 days of Privilege Leave Rs.348.40 (30/31 months).

ILLUSTRATION No.II

Period of privilege leave actually taken from 1st Feb., 1974 to 2nd March, 1974 (30days).

Rate of leave salary Rs.330/- per mensem

Leave salary for the surrender of 30 days of Privilege Leave Rs.360+23.22 (1+2 /31 months) Rs.383.20 (rounded).

ILLUSTRATION No.III

Period of privilege leave actually taken from 15th June, 1974 to 14th July, 1974 (30days).

Rate of leave salary Rs.300/- per mensem

Leave salary for the surrender of 30 days of Privilege Leave Rs.102.00 +162.58 (16/ 30 + 14/31 months).

ILLUSTRATION No.IV

Period of privilege leave actually taken from 15th Feb., 1974 to 16th March, 1974.

Rate of leave salary Rs.360/- per mensem

Leave salary for the surrender of 30 days of Privilege Leave Rs.180/- + Rs.185.11 (14/28 + 16/31 months).

Allowance admissible alongwith leave salary should also be worked out as above.

Annexure 'A' (2)

No.RSEB/Rules/F.53(13)/D.24

Jaipur : dated 12/18-3-75

NOTIFICATION

A doubt has been raised as to whether half of the Additional Dearness Allowance under the Additional Emoluments (Compulsory Deposit) Act, 1974 is to be deducted and credited to the Head of Additional Dearness Allowance Deposit Account at the time of arranging payment of

leave salary to the employee who surrenders the Privilege Leave for encashment in pursuance of the order No.RSEB/Rules/ESR/D.2 dated 13th January, 1975.

The case has been examined and it has been decided that the employee who surrender/proceeds on Privilege Leave is entitled to leave salary as admissible under the Rules/Regulations. Simultaneously deductions of half of the Additional Dearness Allowance are invariably to be made from his salary/wages. The deductions so made on account of half of the Additional Dearness Allowance is credited to the head Additional Dearness Allowance Deposit Account in the same manner it is being deducted and credited in ordinary course.

It is, therefore, enjoined upon all Drawing and Disbursing Officers to ensure deduction of half of the Additional Dearness Allowance while arranging payment for the surrender of P.L. for encashment.

Sd/-
(Rajendra Jain)
Secretary

Annexure 'A' (3)

No.RSEB/Rules/ESR/Leave/D.63

Jaipur : Dated 22-7-75

ORDER

Sub: Privilege Leave - Surrender and encashment thereof.

Some of the unit officers have raised some doubts about the applicability of order No.RSEB/Rules/ESR/D.2 dated 13-1-1975 regarding Privilege Leave- Surrender and encashment thereof.

The matter has been examined in detail and the following clarifications are made for guidance of all concerned.

Point of Clarification

Clarification

- | | |
|---|---|
| 1. Whether the period of two months will mean 60 days or full one month's pay is to be allowed when an employee surrenders two month's leave? | 1. As per sub-clause (iii) of the Board order dated 13-1-1975 on surrendering of two months P.L. by an employee of the Board he is entitled to get one month's leave salary in lieu thereof. Normally, one month mean 30 days. In the case of person proceeding on P.L. for not less than 30 days, it has been clearly specified that if he surrenders 30 days P.L. he is entitled to get encashment benefit in lieu thereof. Thus two months period should indicate the period of 60 days. |
| 2. Whether an employee who surrenders | 2. The Privilege Leave is earned by duty and since the Board employee remains on duty |

two months leave will earn P.L. in respect of the period of surrendered leave during which he actually remains on duty?

during the period he surrenders the P.L. he is entitled to earn leave during this duty period.

3. The head to which this amount of leave salary will be debited.
4. When the amount of leave salary in respect of an employee who surrenders two month's leave is payable?
3. The amount of encashment of leave salary is debitable to the same head to which the pay and allowances and leave salary of the Board's employee is debited.
4. The payment of leave salary in case of two months surrendered of leave may be allowed from the date of sanction of surrendered leave or the date from which such surrender is requested whichever is later.

Annexure 'A' (4)

**GOVERNMENT OF RAJASTHAN
(Finance (Gr.2) Department)**

No.F.1(38) FD/Rules/65-II

Jaipur : Dated 7-1-75

CLARIFICATION

Sub: Privilege Leave - Surrender and encashment thereof.

Attention is invited to para 2(ix) of Finance Department order No.F.1(38) FD (Rules) 65-II dated 12-9-1974 under which concession of encashment of privilege leave has also been allowed to Government servants who are on foreign service on or deputation. A question has been raised as to who will pay the compensatory allowance for the period of leave surrendered in respect of deputationist.

The matter has been examined. Under the existing instructions as contained in Government of Rajasthan Decision No.2 below Rule 146 of Rajasthan Service Rules leave salary is paid by the parent department and in lieu thereof leave salary contribution is received from the foreign employer. However, compensatory allowances in such cases for the period of leave are paid by the foreign employer.

Since the concession of encashment of leave has been allowed by the Government to deputationist also the Government accepts the charge for compensatory allowances also and accordingly it has been decided that for the period of leave surrendered, compensatory allowances payable shall be paid by the parent department in addition to leave salary.

Sd/-
(S.C. Johari)

Dy. Secretary to Govt.

(Endorsed by the Board vide No. RSEB/Rules/ESR/Leave/D.72 dated 7-8-75)

Annexure 'A' (5)

**GOVERNMENT OF RAJASTHAN
(Finance (Gr.2) Department)**

No.F.1(38) FD(Gr.2)/65-II

Jaipur : Dated 23-6-75

CLARIFICATION

Sub: Privilege Leave - Surrender and encashment thereof.

Attention is invited to Finance Department Clarification No.F.1(38) FD (Rules) 65-II dated 7-1-1975 wherein words 'Compensatory Allowances' has been used at various stages.

It is clarified that compensatory allowances for the purpose of surrender and encashment of privilege leave mean dearness allowance, adhoc relief and additional dearness allowance only.

Sd/-
(S.C. Johari)
Dy. Secretary to Govt.

(Endorsed by the Board vide No. RSEB/Rules/ESR/Leave/D.73 dated 7-8-75)

Annexure 'A' (6)

No.RSEB/Rules/ESR/D.98

Jaipur : Dated 17-9-75

ORDER

The Board vide its order No.RSEB/Rules/ESR/D.2 dated 13-1-75 allowed the benefit of surrender and encashment of privilege leave on its employees w.e.f. 1st January, 1975. The concession of encashment of privilege leave surrendered is allowed once in a block of two years, first block commencing from 1-1-1975. To keep watch on this, it is necessary that proper entries regarding the debit in the leave account alongwith the block year are invariably made in the service book of the employee concerned.

It is, thereof, enjoined upon all concerned that in order to guard against omission to post a debit in the leave account in respect of the leave surrendered, in the case of Board's employees whose pay is drawn on establishment bills, the details of the surrendered leave and the Block year to which such leave pertains should be noted in the body of the service book and in the leave account in red ink when the leave salary is drawn. A certificate to the effect that the necessary

entries have been made in the Service Book and the leave account should be furnished by the Drawing Officer in the bill in which the leave salary for the surrendered leave is drawn.

Payment on account of surrender of leave shall be drawn on a separate bill. A statement of leave availed of and encashed shall be attached to the bill.

Sd/-
(Rajendra Jain)
Secretary

Annexure 'A' (7)

**GOVERNMENT OF RAJASTHAN
(Finance (Gr.2) Department)**

No.F.1(38) FD(Gr.2)/65-II

Jaipur : Dated 22-7-75

CLARIFICATION

Sub: Privilege Leave - Surrender and encashment thereof.

According to para 2(1) of Finance Department order No.F.1(38) FD(Rules)/65-II dated 12-9-1974 a Government servant who takes privilege leave for a period of not less than 30 days will be allowed to surrender the balance of privilege leave subject to a maximum of 30 days. The authority who is empowered to sanction privilege leave is also competent authority to accept surrender of privilege leave.

With reference to above it is clarified that since the total period of privilege leave including surrendered leave is debited to the account of the Government servant concerned, the powers to sanction leave by the competent authority should be exercised with reference to total leave including surrendered leave and not with reference to privilege leave actually availed of. For example 'X' is empowered to sanction privilege leave upto 60 days. If an employee takes privilege leave for 30 days and surrenders 30 days also he is competent to sanction leave including surrendered leave. But if the employee takes 31 days privilege leave and surrenders 30 days privilege then in that case 'X' will not be competent authority to sanction leave and in such case sanction of the competent authority would be required.

Sd/-
(S.C. Johari)
Dy. Secretary to Govt.

(Endorsed by the Board vide No.RSEB/Rules/ESR-Leave/D.-96 dated 17/18 Sept. 1975)

Annexure 'A' (8)

ORDER

Sub: Privilege Leave - Surrender and encashment thereof.

The Chairman and Accounts and Finance Member have decided, subject to ratification by the Board, to make the following amendments in this office order No.RSEB/Rules/ESR/D.2 dated 13th January, 1975:

In the said order;

The existing condition (i) shall be substituted by the following :

"(i) All employees of the Board including officers, but excluding Technical Sub-ordinate employees who are governed for the purpose of leave by the Technical Employees Leave Rules, who takes privilege leave for the period of not less than 15 days will be allowed to surrender the balance of privilege leave to their credit on the date of commencement of leave or any portion thereof at their option subject to a maximum of 30 days and will be sanctioned leave salary and allowances for the leave so surrendered.

The existing sub-condition (b) of condition (xi) shall be substituted by the following:

"(xi) (b) The leave salary and allowances admissible for the leave surrendered will be computed on the basis of monthly rate of pay which an employee is drawing immediately before the date of the commencement of leave. A month for the purpose of calculation of leave salary and allowances shall mean 30 days. The leave salary and allowances for surrendered leave shall be worked out as per illustration given in the appendix to this order."

In condition (xii) & (xvii) the existing words & figures "30/15 days" and in condition (xv) the existing words & figures "30days" wherever occurring shall be substituted by the words and figures "15 days".

This will take effect from 25th October, 1979. Pending cases, if any, shall be decided in terms of this order. The cases already decided need not be re-opened.

APPENDIX

ILLUSTRATION No.I

Period of privilege leave actually taken from 1st March to 15th March, 1980 (15days).

Rate of leave salary Rs.450/- per month

Leave salary for the surrender of 30 days of Privilege Leave Rs.450/-

Leave salary for the surrender of 20 days of Privilege Leave Rs.300/-

ILLUSTRATION No.II

Period of privilege leave actually taken from 1st Feb. to 15th Feb., 1980 (15days).

Rate of leave salary Rs.450/- per mensem

Leave salary for the surrender of 30 days of Privilege Leave Rs.450/-

Leave salary for the surrender of 20 days of Privilege Leave Rs.300/-

ILLUSTRATION No.III

Period of privilege leave actually taken from 20th June to 4th July, 1980 (15days).

Rate of leave salary Rs.450/- per mensem

Leave salary for the surrender of 30 days of Privilege Leave Rs.450/-

Leave salary for the surrender of 20 days of Privilege Leave Rs.300/-

ILLUSTRATION No.IV

Period of privilege leave actually taken from 5th September to 19th September, 1980 (15 days).

Rate of leave salary Rs.450/- per mensem

Leave salary for the surrender of 30 days of Privilege Leave Rs.450/-

Leave salary for the surrender of 20 days of Privilege Leave Rs.300/-

Allowances admissible alongwith leave salary should also be worked out as above.

Annexure 'A' (9)

No.RSEB/F&R/F. /D.12

Jaipur :Dated 23-6-81

ORDER

Sub: Privilege Leave - Surrender and encashment thereof.

Reference is invited to the Board's order No.RSEB/Rules/ESR/D.2 dated 13-1-75 as amended from time to time on the subject noted above. According to these orders, a Board employee is required to proceed on Privilege Leave for a period of not less than 15 days in order to become eligible for leave encashment benefit by surrendering the balance of Privilege Leave to his credit on the date of commencement of leave or any portion thereof at his option subject to a maximum of 30 days, in respect of employees covered under the RSEB ESR, and 15 days in respect of Technical employees covered under the Technical Employees Leave Rules respectively. Alternatively the benefit of encashment upto the maximum of 30 days and 15 days can be availed of by them by surrendering 60 days Privilege Leave in case of Board's employees covered under

the RSEB ESR and 30 days in case of Technical employees covered under the Technical Employees Leave Rules.

The matter was considered denovo and the Board in its 304th meeting held on 23rd May, 1981 has decided that it will now not be obligatory on the part of a Board employee to proceed on Privilege Leave for a period of 15 days in order to get the benefit of leave encashment under the aforesaid orders once in a block of two years.

Accordingly, hence-forth Board's employees covered by the RSEB ESR for the purpose of leave, shall be entitled to get the encashment benefit by surrendering 30 days Privilege Leave and Technical employees covered under the Technical Employees Leave Rules shall be entitled to get encashment benefit by surrendering 15 days Privilege Leave.

The Leave salary and allowances for the leave surrendered will be calculated on the basis of monthly rate of pay which a Board employee is drawing immediately before the date of his application for leave encashment benefit on surrendering of 30 days and 15 days Privilege Leave respectively. A month for the purpose of calculation of leave salary and allowances shall mean 30 days.

The Board's order No.RSEB/Rules/ESR/D.2 dated 13-1-75 as amended from time to time shall be deemed to have been modified to the extent indicated in the aforementioned paras. Necessary orders incorporating these modifications are being issued separately.

By order
Sd/-
(C.R. Mehta)
Secretary

Annexure 'A' (10)

No.RSEB/F&R/F. /D.33

Jaipur :Dated 7-9-81

ORDER

Sub: Privilege Leave - Surrender and encashment thereof.

Reference is invited to the Board's order No.RSEB/F&R/F. /D.12 dated 23-6-81 issued in pursuance of the decision taken by the Board in its 304th meeting held on 23rd May, 1981 regarding surrender of privilege leave and encashment thereof. It was mentioned in the last para of the aforesaid order that

"The Board order No.RSEB/Rules/ESR/D.2 dated 13-1-75 as amended from time to time shall be deemed to have been modified to the extent indicated in the afore mentioned paras. Necessary orders incorporating these modifications are being issued separately."

Accordingly, in supersession of the existing order No.RSEB/Rules/ESR/D.2 dated 13-1-75 as amended from time to time, it is hereby ordered that :

1. All officers/employees of the Board governed by RSEB Employees Service Regulations will be allowed to surrender the balance of Privilege Leave to their credit on any portion thereof or any day of month at their option subject to a maximum of 30 days and will be sanctioned leave salary and allowances for the leave so surrendered.
2. Technical employees governed by the Technical Employees Leave Rules will be allowed to surrender the balance of privilege leave to their credit or any portion thereof on any day of a month at their option subject to a maximum of 15 days and will be sanctioned leave salary and allowances for the leave so surrendered.
3. When the benefit of surrender of privilege leave and encashment thereof is availed of by an employee while proceeding on privilege leave then in that case the total duration of privilege leave taken and leave surrendered at any one time, shall not exceed 120 days in respect of employee covered under RSEB ESR and 45 days in respect of Technical employee covered under Technical Employees Leave Rules.
4. The concession of encashment of privilege leave shall be allowed once in a block of two years first block having commenced from 1st January, 1975.
5. The authorities who are empowered to sanction privilege leave will be competent to accept surrender of privilege leave. The number of Board employees in an office to whom this concession of surrender of privilege leave is allowed at a time should not exceed 4% of the total number of employees in a month. This restriction shall not apply to offices having strength of less than 25, provided that in a block of two years by following the above method if some one remains to be allowed this benefit inspite of the fact that it is due to him, such employee shall be allowed this benefit in the last two quarters of the block.
6. The leave salary and allowances for the leave surrendered will be calculated on the basis of monthly rate of pay which a Board's employee is drawing immediately before the date of his application for leave encashment benefit on surrendering of privilege leave subject to a maximum of 30 days in respect of s Board's employee covered under the RSEB ESR and 15 days in respect of Technical employees covered under Technical Employees Leave Rules. A month for the purpose of calculation of leave salary and allowances shall mean 30 days.
7. A Board employee may be paid leave salary in lieu of the privilege leave surrendered in a month in which he makes an application after issuing the formal sanction in this regard.

8. This leave salary is not liable to deductions on account of State Life Insurance Premium, Life Insurance Corporation Premium, Contributory Provident Fund Subscription, repayment of advances etc. to the Board, house rent and repayment of any dues to Co-operative Societies etc. However the income tax should be deducted on this additional income.
9. The concession shall also apply to Board's employees, who are on foreign service or deputation to the Government of India or Rajasthan Government or other State Government or any non-Government body or institution or have been sent on training within the country or abroad.
10. The benefit of surrender of privilege leave will not be allowed to re-employed persons or those under extension of service.
11. The term "Leave" used in this order for the purpose of surrender of leave means "privilege leave" only and not any other kind of leave.

By order
Sd/-
(C.R. Mehta)
Secretary

Annexure 'B' (1)

No.RSEB/F&R/F.(Pen.)/D.13

Jaipur :Dated 23-1-79

ORDER

Sub: Cash payment in lieu of un-utilised privilege leave on the date of retirement.

The Board in its 266th meeting held on 20th July, 1978 decided that the concession of grant of cash equivalent for un-utilised privilege leave as per the Finance Department, Government of Rajasthan letter No.F.1(26)/FD(Gr.2)/77 dated 11th May, 1978 be made applicable in respect of Board's officers/ employees with the modification that this benefit may be allowed to such employees also who attained the age of superannuation before 28th February, 1978 and were on extension of service on that date subject to a limitation of 120 days salary or the privilege leave due whichever is less.

2. This concession will be subject to following conditions:
 - a) The payment of cash equivalent of leave salary shall be limited to 120 days privilege leave due, whichever is less.
 - b) The cash equivalent of leave salary thus admissible will become payable on retirement and will be paid in one lumpsum as a one time settlement.
 - c) Cash payment under this order will, subject to (d) below, be equal to leave salary as admissible for privilege leave and dearness allowance admissible on that leave salary at

the rates in force on the date of retirement. No City Compensatory Allowance and /or House Rent Allowance shall be payable.

- d) From the cash amount worked out in accordance with (c) above, deductions of pension and pensionary equivalent of other retirement benefits for the period for which cash equivalent is payable shall be made.
- e) The authority competent to grant leave shall suo moto issue order granting cash equivalent of privilege leave at credit of a Board employee on the date of retirement.
- 3 These orders will not apply to the cases of premature/ voluntary retirement under Regulation 18(3) & (4) of the RSEB Employees Service Regulations, 1964. Persons who are compulsorily retired as a measure of punishment under the RSEB Employees (Classification, Control & Appeal) Regulations, 1962 will also not be allowed this benefit.
- 4 The benefit of this order shall also be admissible to Board employees who attained the age of superannuation before 28-2-1971 and were on extension on that date and also to the employees who attained the age of superannuation on or after 19-2-1978 and are granted extension of service after that date. In such cases the benefit shall be granted on the date of final retirement on expiry of extension, to the extent of privilege leave earned at credit on the date of superannuation plus the privilege leave earned during the period of extension reduced by privilege leave availed of during such period, subject to a maximum of 120 days.
- 5 Consequent upon issue of this order, refusal of privilege leave as preparatory to retirement, under Regulation 43(p) of RSEB Employees Service Regulations, 1964 would no longer be necessary. A Board employee who avails of 120 days privilege leave as leave preparatory to retirement shall not be entitled to cash equivalent of leave salary in respect of leave, if any, remaining to his credit on the date of retirement.

By order
Sd/-
Secretary

Annexure 'B' (2)

No.RSEB/F&R/F.(Pen.)/D.38

Jaipur :Dated 23-4-79

ORDER

Sub: Cash payment in lieu of un-utilised privilege leave on the date of retirement.

The Board in its 274th meeting held on 27th March, 1979 decided that no deductions on account of pension and pensionary equivalent of other retirement benefits shall be made from the cash payment made in lieu of un-utilised privilege leave in respect of the Board employees

retiring on superannuation on or after 28-2-78. A similar decision was also taken in respect of the employees who attained the age of superannuation before 28-2-78 and were on extension on that date and the employees who attain the age of superannuation on or after 28-2-78 and are granted extension of service after that date. Accordingly clause (d) of para 2 of this office order No.RSEB/F&R/F.(Pen)/D.13 dated 23rd January, 1979 shall be deemed to have been deleted abinitio.

As a result of the decision taken by the Board in its aforesaid meeting held on 27-3-79, past cases in which payments have already been made prior to issue of this order shall be reviewed suo-moto and necessary revised orders for cash payment issued.

By order
Sd/-
Secretary

Annexure 'B' (3)

No.RSEB/F&R/F.(Pen.)/D.62

Jaipur :Dated 2-7-80

ORDER

Sub: Cash payment in lieu of un-utilised privilege leave.

The Board in its 290th meeting held on 10th June, 1980 has taken the following decisions:-

- I. Cash equivalent of leave salary in respect of period of privilege leave at the credit of a Board's employee at the time of retirement on superannuation shall be limited to a maximum of 180 days of Privilege Leave instead of 120 days Privilege Leave.
- II. The Provisions contained in 2(a) of the Board's order No.RSEB/F&R/F.(Pen)/D.13 dated 23-1-79 shall be deemed to modified to the extent indicated above.
- III. These orders shall be applicable to Board's employees who have attained or attain the age of superannuation on or after 29th February, 1980.

By order
Sd/-
Secretary

Annexure 'B' (4)

No.RSEB/F&R/F.(Pen.)/D.2

Jaipur :Dated 19-2-81

ORDER

Sub: Cash payment in lieu of un-utilised Privilege Leave on Retirement -Revision of the method of calculation of cash payment.

The Board in its 298th meeting held on 6th January, 1981 decided that the calculation of cash payment in lieu of un-utilised Privilege Leave on retirement shall hence-forth be calculated & made in the manner indicated below:

Cash Payment =	Pay admissible on the date of retirement plus Dearness allowance admissible on that date	x	Number of un-utilised P.L. at credit on the date of retirement subject to a maximum of 180 days.
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Annexure 'C' (1)

RAJASTHAN STATE ELECTRICITY BOARD

No.RSEB/Rules/D.49

Jaipur :Dated 25-6-74

ORDER

In pursuance of the Memorandum of settlement dated 19-6-73, the matter regarding fixation of retirement age as 58 years of all the workmen of Rajasthan State Electricity Board including the workmen of E&M Department who have opted for Board's service was referred for arbitration to Shri N.K. Joshi, Labour Commissioner, and Additional Secretary to the Government of Rajasthan.

Shri N.K. Joshi, Labour Commissioner, and Additional Secretary to the Government of Rajasthan has passed an award on 6-3-74 regarding the retirement age of the workmen of the Rajasthan State Electricity Board. In pursuance of the aforesaid award, the chairman is pleased to order that retirement age for all workmen (except persons on deputation) covered under the definition of workmen as given under the Industrial Employment (Standing Orders) Act, 1946/Industrial Disputes Act, 1947 shall be 58 years from 1-4-1974.

Annexure 'C' (2)

RAJASTHAN STATE ELECTRICITY BOARD

No.RSEB/Rules/D.54

Jaipur :Dated 16-7-74

ORDER

In pursuance of the Board's Notification No.RSEB/Rules/D.49 dated 25-6-74 raising the age of compulsory retirement from 55 years to 58 years in respect of workmen covered under the definition of workmen as laid down in the Industrial Disputes Act, 1947, Industrial (Employment) Standing Orders Act, 1946 w.e.f. 1-4-1974, it has been represented to the Board that a number of Board's employees covered under the notification *ibid*, who attained the age of 55 years on or after 1-4-74 but before the issue of the said notification and were retired

according to rules/practice/convention being followed, have been deprived of the benefit of serving upto 58 years of age.

The matter has been carefully considered and the Chairman in consultation with the Accounts & Finance Member is pleased to order that the employees who attained the age of superannuation on or after 1-4-74 but before the issue of the notification referred to above, may be taken back in service and the period which has elapsed from the date of their retirement to the date of re-joining the service be regularized by sanctioning privilege leave due to their credit. In case where the privilege leave is not due or where the whole period is not covered under the privilege leave due, the period may be treated as special casual leave and the payment arranged accordingly. Such employees may be informed to join back their duties immediately within a period of 7 days from the receipt of intimation. Cases where special casual leave has to be given, be submitted to the respective Heads of Department indicating the total period to be covered, period covered by privilege leave and period to be covered by special casual leave.

It is, therefore, enjoined upon all the concerned officers to issue such intimation letters immediately to the employees retired from their offices during the aforesaid period.

Annexure 'C' (3)

RAJASTHAN STATE ELECTRICITY BOARD

No.RSEB/Rules/R.T.Age/D.62

Jaipur :Dated 23-8-74

ORDER

In accordance with the Notification No.RSEB/Rules/D.54 dated 16th July, 1974 the employees who attained the age of superannuation (55 years) on or after 1-4-74, but before the issue of Notification No.RSEB/Rules/D.49 dated 25th June, 1974 were ordered to be taken back in service and the period which has been elapsed from the date of their retirement was to be regularized by sanction of P.L. due to their credit and in case no P.L. was due or where the whole period was not covered under the P.L. due, special casual leave was to be granted. Cases where casual leave was to be sanctioned were required to be submitted to the respective Head of Department.

A doubt has arisen as to who shall be authority competent to sanction P.L. and where the period can not be covered by grant of P.L. the special casual leave. It is clarified that authorities exercising the powers of competent authority for grant of P.L. may sanction the P.L. due to the credit of employees. In case where the period cannot be covered under the P.L. due and the

period is to be regularized by grant of special casual leave it may be sanctioned by the respective Heads of Department.

Annexure 'C' (4)

RAJASTHAN STATE ELECTRICITY BOARD

No.RSEB/Rules/F.5(13)/D.80

Jaipur :Dated 13/14-10-74

ORDER

The age of retirement covering all workmen (except persons on deputation) covered under the definition of workmen as given under the Industrial Employment (Standing Order) Act, 1946/ Industrial Disputes Act, 1947 was raised from 55 years to 58 years in pursuance of the award dated 6th March, 1974 passed by Shri N.K. Joshi, Labour Commissioner and Additional Secretary to the Government of Rajasthan vide this office order No.RSEB/Rules/D.49 dated 25-6-74.

The definition of 'Workmen' defined in the Industrial Disputes Act, 1947 excludes "the person employed in a supervisory capacity who draw wages exceeding Rs.500/- per month". It came to the notice of the Board that situations may arise when personnel may have to retire at different intervals between the age of 55 years and 58 years due to their crossing the monetary limit of total emoluments of Rs.500/- p.m. This may create complications in the actual working out of the retirement age and may cause hardship.

The Board, therefore, in its 205th meeting held on 26th/27th August, 1974 after due consideration of all aspects of the matter, decided that the retirement age for all categories of the Board's employees (except persons on deputation) covered upto Board's pay scales No.1to 6 shall be 58 years from 1st April, 1974. Regulation No.18(a) and (b) of the Rajasthan State Electricity Board Employees Service Regulations, stand modified to this extent.

This supersedes Board's order No.RSEB/Rules/D.49 dated 25-6-74.

Annexure 'C' (5)

RAJASTHAN STATE ELECTRICITY BOARD

No.RSEB/Rules/F.8(7)/D.87

Jaipur :Dated 10/11-9-75

CIRCULAR

Sub:Compulsory retirement under Regulation No.18(4) of the Rajasthan State Electricity Board Employees Service Regulations, 1964.

- 1) The Rajasthan State Electricity Board has recently taken a decision in its 223rd meeting held on 27-8-1975 that the Board may, after giving, him three months previous notice in writing

require a Board employee to retire from the service on a date, on which he completes 25 years of service or attains the age of 50 years or any other date thereafter.

- 2) In pursuance of this decision, it has become necessary to prescribe the procedure for dealing with the cases regarding compulsory retirement of Board's employees who have completed 25 years of service or 50 years of age. Consequently, following procedure is prescribed for being adopted by the authorities concerned.
- 3) Immediately, on issue of this order and on the 1st March of every year thereafter, The Secretary, Rajasthan State Electricity Board should draw up a category wise list of all categories of Board employees belonging to I and II class categories who shall complete 25 years of service or attain 50 years of age by the next 31st December.
- 4) These lists should contain information regarding the name, post, appointment hold, date of first appointment and date of birth.
- 5) These lists with the C.Rs. upto and including the C.Rs. of preceding year should be put by the Secretary to the Committee constituted for the purpose given in para 9.
- 6) Immediately, on issue of this order and on the 1st March of every year thereafter, each Head of the Department shall get the services verified and draw up a fresh list of Board employees belonging to class III who shall complete 25 years service or attain 50 years of age on 31st December of that year under the headings indicated below :
 - i) S.No.
 - ii) Name of Official
 - iii) Substantive/ officiating post held
 - iv) Date of Birth
 - v) Date of entry into Govt./ Board's service
 - vi) Date of completion of 25 years' service
 - vii) Date of attaining the age of 50 years
 - viii) Date of superannuation
- 7) He will also collect the personal files, confidential rolls and enquiry cases, if any, against them. He will ensure that the C.Rs. of all the previous years are available in each case and the missing C.Rs. if any, are obtained from the Reporting Officers concerned to bring the record up-to-date. This work should be completed latest by 30th September, 1975 and in subsequent years, by the 31st August of the year and submitted to the Secretary, Rajasthan State Electricity Board, Jaipur.

- 8) The list so drawn up together with the C.Rs. and other records as mentioned in the preceding para shall be scrutinized by the Committee mentioned in para 9.
- 9) The list and C.Rs. shall be scrutinized by the Committee consisting of the following Members :
- (a) Committee for class I and II non-technical/technical services with initial pay of Rs.1300/- and above.
 - i) Chairman, Rajasthan State Electricity Board, Jaipur.
 - ii) Power Commissioner, Government of Rajasthan, Jaipur
 - (b) Committee for class I and II technical service excluding those mentioned at (a) :
 - I. Technical Member, Rajasthan State Electricity Board, Jaipur.
 - II. One of the Chief Engineers/ Addl. Chief Engineers to be nominated by the Chairman, Rajasthan State Electricity Board, Jaipur.
 - III. Secretary, Rajasthan State Electricity Board, Jaipur.
 - (c) Committee for class I and II non-technical services excluding those mentioned at (a) and class III non-technical services where Board is the competent authority.
 - i) Accounts & Finance Member, Rajasthan State Electricity Board, Jaipur.
 - ii) Secretary, Rajasthan State Electricity Board, Jaipur.
 - iii) Financial Advisor & Controller of Accounts, Rajasthan State Electricity Board, Jaipur.
 - (d) Committee for class III non-technical service other than those mentioned in 9(c) and such supervisory technical posts as are not covered under the definition of 'workmen' :
 - i) Secretary, Rajasthan State Electricity Board, Jaipur.
 - ii) Financial Advisor & Controller of Accounts, Rajasthan State Electricity Board, Jaipur.
 - iii) One of the Chief Engineers/ Addl. Chief Engineers to be nominated by the Chairman, Rajasthan State Electricity Board, Jaipur.
- 10) The Committee mentioned at 9(a), 9(b), 9(c) and 9(d) shall draw up the list of the employees who should be compulsorily retired giving brief reasons in respect of each employee. Unless the record is particularly adverse, an employee should not be recommended for compulsory retirement, if he is due to superannuate by the end of the next calendar year. The list should be drawn as early as possible so as to leave sufficient margin for further processing of the case.
- 11) These lists along with the C.Rs. of the employees in class I, II and III category (where Board is the appointing authority) shall be submitted by the Secretary \$ to a committee consisting three whole-time Members of the Board and Power Commissioner for approval and

thereafter to the Board. After the Board's approval, the Secretary will issue orders of compulsory retirement under Regulation 18(4) of the Rajasthan State Electricity Board Employees Service Regulations, 1964.

- 12) The recommendation of the Committee at para 9(d) with the C.Rs. etc. of the staff recommended for retirement shall be submitted for approval to the Chairman.
- 13) After the approval of the Chairman is received, orders for compulsory retirement under Regulation 18(4) in individual cases will be issued by the Heads of Department as per specimen copy enclosed.
- 14) The employee should be retired after paying him 3 month's pay in lieu of notice. A cheque of the amount equivalent to the pay and allowances, he would have been entitled to in case three months notice had been given to him, should accompany the order of retirement.
- 15) The cases of the Board's employees under suspension who are facing serious charges (warranting their removal or dismissal) which have a fair chance of being proved should be examined very closely before action under Regulation 18(4) of the Rajasthan State Electricity Board Employees Service Regulations, 1964 is taken, since compulsory retirement in such case may amount to conferring unwarranted and unjustified favour on such employees.

Action under Regulation 18(4) of the Rajasthan State Electricity Board Employees Service Regulations, 1964 may be taken against Board's employees under suspension whose delinquency is not grave enough to warrant their dismissal or removal from service, or if the delinquency is grave enough but the charges can not be proved for want of evidence etc.

Such of the Board's employees under suspension as are proposed to be retired under Regulation 18(4) of the Rajasthan State Electricity Board Employees Service Regulations, 1964 should be served with three months notice only instead of paying them 3 months pay and allowances. During the three months notice period, such Board employee would continue to draw only the subsistence allowance being drawn by them at the time the three months notice is served upon them.

- 16) The Secretary in respect of those employees for which Board is the appointing authority and the Heads of Department in respect of other employees shall maintain a register containing the following headings in respect of these employees who are recommended for compulsory retirement by the Committee:
 1. S.No.
 2. Name of Official
 3. Designation

4. Office to which he belongs
5. Date of Birth
6. Date of commencement of service
7. Date of completion of 25 years' service
8. Date of attaining 50 years of age
9. Date of superannuation
10. Recommendation of the Committee
11. Decision as finally communicated by the Chairman.
12. Remarks

17) As this procedure has the effect of curtailing the working life of officials, fairly advanced in life, it should be used with due care and caution.

(Annexure to the Rajasthan State Electricity Board's circular No.RSEB/Rules/F.8(7)/D.87 dated 10/11-9-75).

RAJASTHAN STATE ELECTRICITY BOARD

No.

Dated :

To

Shri.....

.....

Whereas Shri has completed 25 years of service/ has attained 50 years of age.

Now, therefore, in pursuance of sub-regulation (4) of Regulation 18 of the RSEB Employees Service Regulation, 1964, the Rajasthan State Electricity Board hereby requires Shri..... by payment to him of three months pay and allowances in lieu of three months previous notice, to retire from the service on the date of receipt of this order by him.

A bank draft of the amount of Rs..... In respect of three months pay and allowances in lieu of three months previous notice is enclosed.

By order of the Board
Secretary

(Annexure to the Rajasthan State Electricity Board's circular No.RSEB/Rules/F.8(7)/D.87 dated 10/11-9-75).

RAJASTHAN STATE ELECTRICITY BOARD

No.RSEB/

Dated :

To

Shri.....

.....

.....

.....

Whereas Shri has completed 25 years of service/ has attained 50 years of age.

Now, therefore, in pursuance of sub-regulation (4) of Regulation 18 of the RSEB Employees Service Regulations, 1964, the Rajasthan State Electricity Board hereby gives notice to said Shri.....requiring him to retire from the service on the expiry of three calendar months from the date of service of this notice to him.

By order of the Board
Secretary

No.RSEB/F&R/D.103

Jaipur : dated 5-11-76

MEMO

Sub: Retirement of Board employees under Regulation 18(4) of the RSEB ESR.

As a result of the application of Regulation 18 of the RSEB ESR as amended vide order No.D.88 dated 8/11-9-75, the following points have cropped up for clarification :

- I. Whether H.R.A. & Compulsory City Allowance for three months will be admissible.
- II. Whether the pay and allowances to be given in lieu of notice period shall be calculated on the basis of those drawn immediately before retirement or on the basis of pay and allowances including normal grade increment, if any, which the Board servant would have drawn, had he remained in service during the notice period.

The matter has been considered and the aforesaid points are clarified as under :-

- I. Board's employees who are given pay and allowance in lieu of notice period are entitled to H.R.A. & City Compensatory Allowance at the same rates at which they were drawing these immediately before retirement.
- II. The pay and allowances to be given in lieu of notice period would be the pay and allowances drawn by him immediately before retirement. Since the Board employee would stand retired immediately on payment of pay and allowances for 3 months, the question of taking into consideration the date of increment does not arise.

By order
Sd/-
(N.K. Verma)
Secretary

Annexure 'D'(1)

APPENDIX - 'A'

Terms and Conditions of Deputation of Board's employees, who are covered under Board's Pay Scale No.1 to 6 sent on transfer to Foreign service to other Government Public Sector Undertakings, Autonomous Bodies, Government Companies, Corporations etc. on Deputation.

- (1) The term 'Deputation' will cover only appointments made by transfer on a temporary basis. It does not cover permanent appointments made by transfer or final absorption or by direct recruitment in competition with open market candidates to the aforesaid bodies.
- (2) **Deputation (Duty) Allowance :**
 - (i) The Deputation (Duty) Allowance shall be @ 20% of the basic pay of the employee subject to a maximum of Rs.300/-p.m. provided that basic pay of the employee in the pay scale of his parent department from time to time plus deputation (duty) allowance does not exceed the maximum of the scale of the post hold on deputation or, where post on deputation has a fixed pay, that fixed pay.
 - (ii) The 'basic pay' for the above purpose shall mean pay drawn in the scale of pay of the substantive appointment held or the pay in scale of pay of the officiating appointment in the employee's parent cadre provided that it is certified by the appointing authority that but for the deputation the employee would have continued to hold officiating appointment indefinitely.
 - (iii) The special pay shall be deemed as part of basic pay provided it has been drawn continuously for more than two years at the time of deputation. Personal pay, if any, drawn by an employee in his parent department may be allowed in addition. This will not be absorbed in deputation (duty) allowance but will be absorbed in other increases of pay for example increment, or increase of pay by promotion for any other reason.
 - (iv) In case of persons transferred on deputation or on foreign service within the same station, the deputation (duty) allowance referred to in clause (i) above shall be @10% of the employee's basic pay instead of @ 20%. Whether a person goes to the same

station or not for this purpose will be determined with reference to the station where he was on duty before proceeding on deputation/ foreign service.

(3) Pay on Deputation :

(i) An employee sent on deputation / foreign service may elect to draw either the pay in the scale of pay of the new post to which he is deputed as may be fixed under RSEB ESR, 1964.

or

(ii) His pay in the parent department plus personal pay, if any , plus deputation (duty) allowance at the rate mentioned in para 2 above.

(iii) With a view to ensure that a Board employee on deputation does not get abnormal increase in the pay because of the option exercised as at clause (i) of this para, it has been decided that where the minimum of the scale of pay of the deputation post is substantially in excess of the deputationists basic pay plus deputation (duty) allowance @ 20%, the appointing authority may restrict the pay of the deputationist even below the minimum of the pay of the deputation post under regulation 28 of the RSEB ESR, 1964. in such a case the pay allowed under regulation 28 of RSEB ESR, 1964 should not exceed the basic pay of the deputationist by more than the amount shown below :

(a) for employee in receipt of basic pay above Rs. 750/- 25% of basic pay or Rs. 225/- whichever is more.

(b) for employee in receipt of basic pay above Rs.300/- but upto Rs.750/- 30% of basic pay or Rs.100/- whichever is more.

(c) for employee in receipt of basic pay of and below Rs.300/- 33.1/3% of basic pay.

(iv) However in the case of employees who are already on deputation and drawing pay higher than admissible under clause (iii) of this para, they shall have to deposit the difference from the date of this order till the commencement of further extension, if any, of the period of deputation when their pay shall be fixed in accordance with the provisions of this order.

(4) Restriction on continuation of Deputation :

Where the basic pay of a Board employee at the time of his proposed deputation exceeds the maximum of the pay scale of the new post to which he is deputed or the fixed pay he should not be sent on deputation. If the basic pay of an employee exceeds

the maximum pay of post held on the deputation or fixed pay of the post at any time subsequent to his deputation, the period of the deputation of the employee shall be restricted to a period of six months from the date his pay thus exceeds the maximum and the employee should be reverted to the parent department.

(5) Compensatory Allowance :

- (i) Dearness Allowance : Dearness Allowance will be regulated under the rules of the Board or under the rules of borrowing Government /foreign employer according as pay is drawn in the parent pay scale or in pay scale of post held on deputation.
- (ii) House Rent Allowance : House Rent Allowance shall be admissible according to the rules of borrowing Government / foreign employer or under the rules of the Board whichever is more beneficial.
- (iii) Travelling Allowance : Travelling Allowance shall be admissible according to the rules of borrowing Government /foreign employer or under the rules of the Board whichever is more beneficial.
- (iv) Compensatory (City) Allowance : Compensatory (City) Allowance shall be admissible according to the rules of the Board or borrowing authority whichever is more beneficial.
- (v) Medical Concession : Medical Concession shall be admissible according to the rules of borrowing Government /foreign employer or under the rules of the Board whichever is more beneficial.
- (vi) Project Allowance : Project Allowance admissible in a project area shall be admissible in addition to the deputation (duty) allowance.

(6) Joining time pay and transfer Travelling Allowance:

He will be entitled to Travelling Allowance and joining time both on joining the post on deputation or on reversion there from to the Board under the rules of the Government / foreign employer to which he is deputed. The expenditure on this account shall be borne by the borrowing authority /foreign employer.

(7) Leave and Pension Contribution :

- (i) During the period of deputation he will be governed by leave rules of the Board applicable to him before such transfer.
- (ii) The leave salary and pension contribution shall be paid by the borrowing authority/ foreign employer in accordance with the provisions contained in the Rajasthan Service Rules.

(iii) (a) Actual contribution to C.P.F. shall be paid in accordance with the RSEB C.P.F. Rules, by the foreign employer.

(b) Special contribution shall be paid by the borrowing authority at the rate of one month's pay for each completed year of service i.e.1/12 of the pay, as defined in the RSEB Payment of Gratuity Rules, 1972, on account of Gratuity payable to a Board employee under the RSEB Payment of Gratuity Rules, 1972.

[This was inserted vide order No.51 dated 18-10-84 & existing item (iii) renumbered as (iii) (a).]

(8) Beginning and End of Deputation :

The deputation will commence from the date on which he hands over the charge of post under Board and ends on the date he assumes charge of a post under Board.

(9) Payment of Bonus or ex-gratia :

(i) A Board employee drawing pay not exceeding Rs.1600/- p.m. on deputation to Public Sector Undertakings or Co-operative Societies/ Institutions etc., which are legally required to pay bonus under the Payment of Bonus Act, 1965 may be allowed to accept bonus declared by such Undertaking, Co-operative Societies/ Institutions etc.

(ii) Where payment of bonus is not a legal obligation and Public Sector Undertakings or Co-operative Societies/ Institutions declare ex-gratia award, it may be allowed to be accepted by the Board employee on deputation to those Undertakings or Co-operative Societies/ Institutions provided that the pay of the deputationist does not exceed Rs.1600/- p.m. In future, however, such ex-gratia award declared by Public Sector Undertakings which are not under a legal obligation to pay bonus under the Payment of Bonus Act, 1965 would be available only to those deputationist who are drawing pay not exceeding Rs.1600/- in the scale prescribed for the deputation post in the Public Sector Undertakings or Co-operative Societies/Institutions and not to those who draw their grade pay admissible under Board with deputation allowance.

(iii) The term 'Pay' used in clause (i) & (ii) above shall have the same meaning as "salary or wage" as defined in Section 2(21) of the Payment of Bonus Act, 1965 and shall include pay, special pay and dearness allowance. As deputation (duty) allowance has been classified as special pay, it should also be taken into account for purposes of paragraph (i) & (ii) above. City Compensatory Allowance, House Rent Allowance etc. should not be taken into account for the purpose.

- (iv) The grant of Bonus or ex-gratia award under paragraphs (i) & (ii) above will be further subject to the following restrictions :-
- (a) Where the payment of bonus or ex-gratia award, as the case may be, under paragraphs (i) & (ii) above is allowed to an employee drawing salary exceeding Rs.750/- p.m. the ex-gratia award or bonus shall be calculated as if the salary was Rs.750/- p.m.
- (b) The maximum amount of bonus or ex-gratia award payable under paragraphs (i) & (ii) of this para read with clause (iv) (a) of this para, as the case may be, to a Board employee on deputation in such undertakings should be limited to 20% of the salary not exceeding Rs.750/- p.m.
- (v) Board employee affected by provision contained in sub-para (ii) above may exercise option either to continue on deputation with deputation allowance where it is admissible without eligibility for ex-gratia awards or to opt for the scale of pay of the post under the Public Sector Undertakings or Co-operative Societies/Institutions and be eligible for the ex-gratia awards. Option should be exercised within 3 months of the date of issue of these orders.
- (vi) For the facility of the Board servants it is clarified that payment of Bonus is not a legal obligation in the Rajasthan Financial Corporation and the Rajasthan State Road Transport Corporation.
- (vii) Payment of bonus or ex-gratia award for the current accounting year or subsequent years will be regulated under these terms.
- (viii) A Board employee who elects to draw pay in the scale of pay of the post to which he is deputed under clause (i) of para 3 of this order shall be entitled to receive payment of bonus or ex-gratia payment, as the case may be, from the foreign employer or the organisation to which he is on deputation and to retain it. But where a Board employee who is in receipt of pay of his post in the parent department plus deputation allowance under clause (ii) of para 3 is entitled to receive bonus under the Payment of Bonus Act, while on deputation he shall be required to credit the amount of bonus payment so received to the Board account. The authority making payment of bonus shall also ensure that the amount of bonus made to him has been credited by the Board employee to the Board account.

(10) Duration of Deputation :

The maximum period for which a Board employee may remain on deputation should not exceed three years at a time.

(11) Other Conditions :

The foreign employer will also be liable to pay salary and leave in respect of any disability leave arising from disability incurred by the officer on deputation in and through foreign service even though such disability manifests itself after termination of foreign service.

The foreign employer will be responsible for payment of any compensation or pension that may be admissible under the Rajasthan State Electricity Board, if any, injury was sustained or death occurs on the account during the foreign service.

The whole expenditure in respect of any compensatory allowance for the period of leave during or at the end of foreign service shall be borne by the foreign employer.

The foreign employer /Borrowing Government may allow such other concession as may be allowed by the Rajasthan State Electricity Board to its employees from time to time while the officer/ official is on deputation.

Annexure 'D'(2)

APPENDIX - 'B'

Terms and Conditions of Deputation of Board Employees, whose Pay Scales are linked with Government Pay Scale sent on transfer to Foreign Service to other Government Public Sector Undertakings, Autonomous Bodies, Government Companies, Corporations etc. on Deputation.

(1) The term 'Deputation' will cover only appointments made by transfer on a temporary basis.

It does not cover permanent appointments made by transfer or final absorption or by direct recruitment in competition with open market candidates to the aforesaid bodies.

(2) Deputation (Duty) Allowance :

(i) The Deputation (Duty) Allowance shall be @ 12% of the basic pay of the employee subject to a maximum of pay of Rs.250/-p.m.

(ii) The 'basic pay' for the above purpose shall mean pay drawn in the scale of pay of the substantive appointment held or the pay in the scale of pay of the officiating appointment in the employee's parent cadre provided that it is certified by the appointing authority that but for the deputation the employee would have continued to hold officiating appointment indefinitely.

- (iii) The special pay shall be deemed as part of basic pay provided it has been drawn continuously for more than two years at the time of deputation. Personal pay, if any, drawn by an employee in his parent department may be allowed in addition. This will not be absorbed in deputation (duty) allowance but will be absorbed in other increases of pay for example increment, or increase of pay by promotion for any other reason.
- (iv) In case of persons transferred on deputation or on foreign service within the same station, the deputation (duty) allowance referred to in clause (i) above shall be @ 6% of the employee's basic pay subject to a maximum of Rs.100/- p.m. Whether a person goes to the same station or not for this purpose will be determined with reference to the station where he was on duty before proceeding on deputation/ foreign service.

(3) Pay on Deputation:

- (i) An employee sent on deputation / foreign service may elect to draw either the pay in the scale of pay of the new post to which he is deputed as may be fixed under RSEB ESR, 1964.

or

- (ii) His basic pay in the parent department plus personal pay, if any , plus deputation (duty) allowance at the rate mentioned in para 2 above.
- (iii) With a view to ensure that a Board employee on deputation does not get abnormal increase in the pay because of the option exercised as at clause (i) of this para, it has been decided that where the minimum of the scale of pay of the deputation post is substantially in excess of the deputationists basic pay plus deputation (duty) allowance @ 12%, the appointing authority may restrict the pay of the deputationist even below the minimum of the pay of the deputation post under regulation 28 of the RSEB ESR, 1964. In such a case the pay allowed under regulation 28 of RSEB ESR, 1964 should not exceed the basic pay of the deputationist by more than the amount shown below :

- (a) for employee in receipt of basic pay above Rs. 1550/- 15% of basic pay or Rs. 225/- whichever is more.
- (b) for employee in receipt of basic pay or and below Rs.1550/- 15% of basic pay.

- (iv) However in the case of employees who are already on deputation and drawing pay higher that admissible under clause (iii) of this para, they shall have to deposit the difference from the date of this order till the commencement of further extension,

if any, of the period of deputation whom their pay shall be fixed in accordance with the provisions of this order.

(4) Compensatory Allowance :

- (i) Dearness Allowance: Dearness Allowance will be regulated under the rules/regulations of the Board or under the rules of borrowing Government /foreign employer according as pay is drawn in the parent pay scale or in pay scale of post held on deputation.
- (ii) House Rent Allowance: House Rent Allowance shall be admissible according to the rules of borrowing Government / foreign employer or under the rules of the Board whichever is more beneficial.
- (iii) Travelling Allowance: Travelling Allowance shall be admissible according to the rules of borrowing Government /foreign employer or under the rules of the Board whichever is more beneficial.
- (iv) Compensatory (City) Allowance: Compensatory (City) Allowance shall be admissible according to the rules of the Board or borrowing authority whichever is more beneficial.
- (v) Medical Concession: Medical Concession shall be admissible according to the rules of borrowing Government /foreign employer or under the rules of the Board whichever is more beneficial.
- (vi) Project Allowance: Project Allowance admissible in a project area shall be admissible in addition to the deputation (duty) allowance.
- (vii) Conveyance Allowance: Conveyance Allowance shall be admissible in accordance with orders issued by the Board from time to time or according to the rules/regulations of the foreign employer whichever is more beneficial.
- (viii) Facility of Orderly: The Officers entitled to have orderly under the orders of the Board shall continue to have the same with them on deputation to foreign service. The payment of wages of orderly will be made by the foreign employer.

(5) Joining time pay and transfer Travelling Allowance:

He will be entitled to Travelling Allowance and joining time both on joining the post on deputation or on reversion there from to the Board under the rules of the Government / foreign employer to which he is deputed. The expenditure on this account shall be borne by the borrowing authority /foreign employer.

(6) Leave and Pension Contribution :

- (i) During the period of deputation he will be governed by leave rules of the Board applicable to him before such transfer.
- (ii) The leave salary and pension contribution shall be paid by the borrowing authority/ foreign employer in accordance with the provisions contained in the Rajasthan Service Rules.
- (iii) (a) Actual contribution to C.P.F. shall be paid in accordance with the RSEB C.P.F. Rules, by the foreign employer.
(b) Special contribution shall be paid by the borrowing authority at the rate of one month's pay for each completed year of service i.e.1/12 of the pay, as defined in the RSEB Payment of Gratuity Rules, 1972, on account of Gratuity payable to a Board employee under the RSEB Payment of Gratuity Rules, 1972.

(7) Beginning and End of Deputation :

The deputation will commence from the date on which he hands over the charge of post under Board and ends on the date he assumes charge of a post under Board.

(8) Payment of Bonus or ex-gratia :

- (i) A Board employee drawing pay not exceeding Rs.1600/- p.m. on deputation to Public Sector Undertakings or Co-operative Societies/ Institutions etc., which are legally required to pay bonus under the Payment of Bonus Act, 1965 may be allowed to accept bonus declared by such Undertaking, Co-operative Societies/ Institutions etc.
- (ii) Where payment of bonus is not a legal obligation and Public Sector Undertakings or Co-operative Societies/ Institutions declare ex-gratia award, it may be allowed to be accepted by the Board employee on deputation to those Undertakings or Co-operative Societies/ Institutions provided that the pay of the deputationist does not exceed Rs.1600/- p.m. In future, however, such ex-gratia award declared by Public Sector Undertakings which are not under a legal obligation to pay bonus under the Payment of Bonus Act, 1965 would be available only to those deputationist who are drawing pay not exceeding Rs.1600/- in the scale prescribed for the deputation post in the Public Sector Undertakings or Co-operative Societies/Institutions and not to those who draw their grade pay admissible under Board with deputation allowance.
- (iii) The term 'Pay' used in clause (i) & (ii) above shall have the same meaning as "salary or wage" as defined in Section 2(21) of the Payment of Bonus Act, 1965 and shall

include pay, special pay and dearness allowance. As deputation (duty) allowance has been classified as special pay, it should also be taken into account for purposes of paragraph (i) & (ii) above. City Compensatory Allowance, House Rent Allowance etc. should not be taken into account for the purpose.

- (iv) The grant of Bonus or ex-gratia award under paragraphs (i) & (ii) above will be further subject to the following restrictions :-
 - (a) Where the payment of bonus or ex-gratia award, as the case may be, under paragraphs (i) & (ii) above is allowed to an employee drawing salary exceeding Rs.750/- p.m. the ex-gratia award or bonus shall be calculated as if the salary was Rs.750/- p.m.
 - (b) The maximum amount of bonus or ex-gratia award payable under paragraphs (i) & (ii) of this para read with clause (iv) (a) of this para, as the case may be, to a Board employee on deputation in such undertakings should be limited to 20% of the salary not exceeding Rs.750/- p.m.
- (v) Board employee affected by provision contained in sub-para (ii) above may exercise option either to continue on deputation with deputation allowance where it is admissible without eligibility for ex-gratia awards or to opt for the scale of pay of the post under the Public Sector Undertakings or Co-operative Societies/Institutions and be eligible for the ex-gratia awards. Option should be exercised within 3 months of the date of issue of these orders.
- (vi) For the facility of the Board servants it is clarified that payment of Bonus is not a legal obligation in the Rajasthan Financial Corporation and the Rajasthan State Road Transport Corporation.
- (vii) Payment of bonus or ex-gratia award for the current accounting year or subsequent years will be regulated under these terms.
- (viii) A Board employee who elects to draw pay in the scale of the post to which he is deputed under clause (i) of para 3 of this order shall be entitled to receive payment of bonus or ex-gratia payment, as the case may be, from the foreign employer or the organisation to which he is on deputation and to retain it. But where a Board employee who is in receipt of pay of his post in the parent department plus deputation allowance under clause (ii) of para 3 is entitled to receive bonus under the Payment of Bonus Act, while on deputation he shall be required to credit the amount of bonus payment so received to the Board account. The authority making

payment of bonus shall also ensure that the amount of bonus made to him has been credited by the Board employee to the Board account.

(9) Duration of Deputation :

The maximum period for which a Board employee may remain on deputation should not exceed three years at a time.

(10) Other Conditions :

- I. The foreign employer will also be liable to pay salary and leave in respect of any disability leave arising from disability incurred by the officer on deputation in and through foreign service even though such disability manifests itself after termination of foreign service.
- II. The foreign employer will be responsible for payment of any compensation or pension that may be admissible under the Rajasthan State Electricity Board, if any, injury was sustained or death occurs on the account during the foreign service.
- III. The whole expenditure in respect of any compensatory allowance for the period of leave during or at the end of foreign service shall be borne by the foreign employer.
- IV. The foreign employer /Borrowing Government may allow such other concession as may be allowed by the Rajasthan State Electricity Board to its employees from time to time while the officer/ official is on deputation.

Annexure 'E'

(Regulation 71 to 74 as below of RSEB Employees Service Regulation, 1964 repealed vide order No.RSEB/F&R/D.7 dated 10-2-88)

**CHAPTER VI
JOINING TIME**

71. Joining Time when Admissible :

- (1) Joining time may be granted to an employee to enable him:
 - (a) To join a new post to which he is appointed while on duty in his old post or directly or relinquishing charge of that post, or
 - (b) To join a new post.
 - I. On return from privilege leave, or
 - II. When the employee has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in sub-clause (i).
- (2) Joining time counts as duty :- An employee on joining time shall be regarded as on duty and shall be treated as follows :-

- (a) If on joining time under clause (a) of sub clause (1) above he is entitled to the pay which he would have drawn if he had not been transferred or the day which he will draw on taking charge of his new post, whichever is less.
- (b) If on joining time under clause (b) of sub clause (1) above, he is entitled, when returning from leave other than extra-ordinary leave, to the leave salary which he last drew on leave at the rate prescribed for the payment of leave salary in India; when returning from extra-ordinary leave, he is entitled to no payment.

Explanation :-

Joining time will not be admissible to an employee who is transferred at his own request.

72. Period of Joining Time Admissible :

- (1) Not more than one day is allowed to an employee in order to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to another. A holiday counts as a day for the purpose of this sub regulation.

(a) When holiday(s) follow(s) joining time the normal joining time shall be deemed to have been extended to cover such holiday(s).

- (2) For transfer involving change of station, 6 days are allowed for preparation and, in addition, a period to cover the actual journey calculated as follows :-

(a) An employee is allowed :

- | | |
|--|---|
| (i) For the portion of the journey which he travels by aircraft. | Actual time occupied in the journey. |
| (ii) For the portion of the journey which he travels or might travel by Railway. | One day for each 250 miles or any longer time actually occupied in the journey. |
| (iii) By other means. | One day for each 100 miles. |

(b) (i) For purposes of journey by air under clause (a) part of a day shall be treated as one day.

(ii) A day is also allowed for any fractional portion of any distance prescribed in sub-clause (2).

(c) Travel by road not exceeding five miles to or from a railway station or (steamer ghat) at the beginning or end of journey does not count for joining time.

(d) A Sunday does not count as a day for the purpose of the calculations in this sub-regulation, but Sundays are included in maximum of 30 days.

- (3) Joining Time for Employees appointed to New Post while on Privilege Leave:-

If an employee is appointed to a new post while on privilege leave his joining time will be calculated from his old station or from the place in which he received the order of appointment, whichever calculation will entitle him to the lesser joining time.

(4) A competent authority may in any case extend the joining time admissible under these regulations upto a maximum of 30 days provided that the general spirit of these regulations is observed.

73. Curtailment of Joining Time :

Joining time cannot be claimed as a matter of right. It may be curtailed at the discretion of the authority, ordering the transfer.

74. Overstay after Joining Time :

An employee who does not join his post within the joining time allowed to him, except under circumstances beyond his control, shall not be entitled to any pay or leave salary after the end of the joining time. Willful absence from duty after the end of expiry of joining time may be treated as a breach of these regulations for the purpose of Rajasthan State Electricity Board's Employees (Classification, Control and Appeal) Regulations.

**RAJASTHAN STATE ELECTRICITY BOARD
(Finance and Rules Section)**

No.RSEB/F&R/F.ESR/D.83

Jaipur : Dated 7-12-93

ORDER

Sub: Payment of subsistence allowance during the period of suspension Regulation 40 of RSEB ESR - 1964.

Consequent upon the judgement dated 28-2-89 passed by Hon'ble High Court in Writ Petition No.871/1988 in the case of Shri Kan Singh Bhati V/s. State of Rajasthan and others, references are being received for making payment of Annual Grade Increment during the period of suspension.

To deal with such cases, it is to clarify that such cases should be decided on the lines of provisions of Government circular dated 24-8-93 (copy enclosed herewith).

It is also enjoined upon the bill passing authorities that it may be ensured while passing the claims of payment of subsistence allowance that the claim is in accordance with the provisions contained in Regulation 40 of the RSEB ESR - 1964 and no Annual Increment or other benefit has been allowed after suspension.

By order
Sd/-
(Damodar Sharma)
Secretary

(Enclosure of Board's order No.83 dated 7-12-93)

**GOVERNMENT OF RAJASTHAN
(Finance (Gr.2) Department)**

No.F.16(9) FD (Gr.2)/ 89

Jaipur : Dated 24-8-93

CIRCULAR

**Sub: Regarding payment of subsistence allowance during the period of suspension-
Rule 53 of Rajasthan Service Rules.**

The undersigned has been directed to convey that a Special Leave Petition was filed by the State Government in the Hon'ble Supreme Court against the judgement dated 28-2-89 of D.B. Civil Writ Petition No.871/1988 - in the case of Shri Kan Singh Bhati V/s. State of Rajasthan & others regarding payment of annual increment during the period of suspension. The Hon'ble Supreme Court has granted the Special Leave Petition filed by the State and has ordered that having regard to the rules governing the matter, the claim for enhancement of the subsistence allowance in the manner directed by the High Court in the aforesaid case is not sustainable. The order dated 28th February, 1989 passed by the Rajasthan High Court in D.B. Civil Writ Petition No.871/1988 has been set-aside by the Hon'ble Supreme Court. A copy of the order passed by the Hon'ble Supreme Court on 23-7-1993 in Special Leave Petition (Civil) No.9256/89 is enclosed.

It is requested that in cases where annual increment(s) during the period of suspension have been allowed, in any case, even if after obtaining approval of the Finance Department may be withdrawn and recovery of over payment if any be made. There are still some cases pending before the Rajasthan Civil Services Appellate Tribunal/ High Court, the officer-in-charge of the respective cases may be directed to produce copy of the aforesaid judgement of the Supreme Court of India in the Rajasthan Civil Services Appellate Tribunal/ High Court through an additional affidavit and such cases may be got decided accordingly.

Sd/-
(Ram Avtar)
Dy. Secretary to Government

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. OF 1993
(Arising out of SLP (C) No.9256 of 1989)**

The State of Rajasthan and Ors.
Versus
Kan Singh and Ahr.

.....Appellants
.....Respondent

ORDER

Leave granted.

Heard learned counsel on both sides. Having regard to the Rules governing the matter, the claim for enhancement of the subsistence allowance in the manner directed by the High Court in this case, is not sustainable. The order dated 28th February, 1989 passed by the Rajasthan High Court in W.P.No.871 of 1988 is set aside and the appeal is disposed of accordingly. No order as to costs.

Sd/-
.....CJI

Sd/-
.....J
(S. Mohan)

New Delhi
July 23, 1993.

No. RSEB/F&R/F.5(17)/D.35

Dated : 07.07.1997

Sub: Surrender of P.L. for encashment benefit.

Under the relevant regulations regarding "encashment of privilege leave while in service", it has been provided that the number of Board employees in an office or Deptt. to whom leave encashment benefit is sanctioned during a financial year shall not exceed 50% of the total employees.

A reference has been received that 50% of the total employees' is to be computed as per working strength or as per sanction strength.

The matter has been considered and I am directed to clarify that the limit of 50% of the total employees in this respect shall be observed as per working strength during that particular financial year.

No. RSEB/F&R/F.(Pen)/D.37

Dated : 11.07.1997

Sub : Duplicate Service Book.

It has been observed that some times delay occurs in finalization of pension cases due to non-availability of service book of an employee. To avoid such situation, the Chairman in

consultation with Member (F&A) has decided that the duplicate service books may be issued to all the employees of the Board for which the following procedure is laid down:

1. The Head of office shall issue a duplicate copy of Service Book maintained in the office to a Board employee whether an employee makes an application in this behalf or not.
2. The duplicate Service Book will be supplied to a Board employee without charging any fee.
3. Existing entries in the Service Book shall be copied in the duplicate Service Book in one's own hand writing under attestation of Head of office, and these shall be updated from time to time.
4. The duplicate Service Book will be an authentic document and can be used/ relied upon only in the event of non-availability of original Service Book for purpose of pay fixation and finalization of pension cases provided that entries in the duplicate Service Book are attested under the signature of Head of Office. In cases where finalization of pay fixation and pension cases is done on the basis of entries in the duplicate Service Book an undertaking shall invariably be obtained from the Board employee himself that he agrees to refund any over payment of pay and allowances, pension etc. which are found to have been made as a result of fixation of pay/pension on the basis of entries in the duplicate Service Book.

राजस्थान राज्य विद्युत मण्डल
वित्त एवं नियम अनुभाग

क्रमांक/रा.रा.वि.म./एवं नि प.8(7)/प्रे.9

दिनांक 12.02.1999

विषय: राजस्थान राज्य विद्युत मण्डल कर्मचारी सेवा विनियमों के विनियम 18(4)के अन्तर्गत सेवा निवृत्ति बाबत।

मण्डल के आदेश क्रमांक रा.रा.वि.म. / वि.एवं नि./प. 8(7) प्रें.33 दिनांक, दिनांक,27जून 1997के आंशिक संशोधन मे यह दिर्नेश प्रसारित किए जाते है कि मण्डल के निर्धारित सक्षम स्तर पर जबकि यह समाधान हो जावे कि कोई मण्डल कर्मचारी/ अधिकारी अपनी अकर्मण्यता, संदेहास्पद सत्यनिषठा अपनी अक्षमता एवं अकार्यकुशलता अथवा असन्तोषजनक कार्य निष्पादन के कारण जनहितार्थ आवश्यक उपयोगिता खो चुका है, तो ऐसी अवस्था में उस मण्डल कर्मचारी/ अधिकारी की जो 25वर्ष की सेवाकाल अथवा 50 वर्ष की आयु जो भी पहले हो पूर्ण कर चुका हो तीन माह के नोटिस अथवा उसके स्थान पर तीन माह के वेतन व भत्तों के भुगतान के साथ रा.रा.वि.म. कर्मचारी सेवा विनियमों के विनियम 18(4) के अन्तर्गत तुरन्त प्रभाव से मण्डल सेवा से सेवानिवृत्त किया जा सकेगा।

इस सम्बन्ध में मण्डल के आदेश दिनांक 27जून 1997 द्वारा प्रेषित प्रकिया एवं मार्गदर्शन सिद्धान्त (प्रतिलिपि संलग्न है), के अनुसार वांछित कार्यवाही अपेक्षित है।

सचिव.

राजस्थान राज्य विद्युत मण्डल

क्रमांक/रा.रा.वि.म./कार्मिक/प्रे.763

जयपुर दिनांक 12.02.1999

आदेश

मण्डल के पूर्णकालिक सदस्यों व विभागाध्यक्षों की दिनांक 28.02.2000 को सम्पन्न बैठक के दौरान, मण्डल अधिकारियों, कर्मचारीयों व तकनीकी कामगारों के स्वैच्छिक सेवानिवृत्ति अथवा सेवा त्याग के प्रकरण के शीघ्र निस्तारण हेतु नियमान्तर्गत निर्धारित नोटिस अवधि को शिथिल किए जाने पर विचार किया गया चर्चा के दौरान यह महसूस किया गया कि जो अधिकारी कर्मचारी या तकनीकी कामगार स्वैच्छिक सेवा निवृत्ति लेना चाहता है अथवा स्वैच्छिक सेवा-त्याग करना चाहता है उन्हें नियमान्तर्गत निर्धारित अवधि का नोटिस देना होता है जिस कारण उन्हें स्वैच्छिक सेवा-निवृत्ति अथवा स्वैच्छिक सेवा-त्याग की अनुमति शीघ्र नहीं मिल पाती है। अतः प्रकरण पर विचार का यह निर्णय लिया गया कि:

1. जो अधिकारी, कर्मचारी व तकनीकी कामगार स्वैच्छिक सेवा-निवृत्ति हेतु निर्धारित सेवा अवधि पूरी कर चुके हैं और मण्डल से तुरन्त स्वैच्छिक सेवा-निवृत्ति चाहते हैं, उनके प्रकरणों में यदि उनके विरुद्ध कोई गम्भीर दुराचरण अथवा गबन के मामलों में अनुशासनिक कार्यवाही लम्बित नहीं है या वे किसी दुराचरण के मामले में निलम्बित नहीं हैं, तो 3माह की नोटिस अवधि को शिथिल मानते हुए संबंधित सक्षम अधिकारी द्वारा, उन्हें तुरन्त स्वैच्छिक सेवा निवृत्ति प्रदान कर दी जावे।
2. जो अधिकारी कर्मचारी व तकनीकी कामगार सेवा नियमों के अंतर्गत स्वैच्छिक सेवा-निवृत्ति हेतु आवश्यक अहर्ता पूरी नहीं करते हैं और स्वैच्छा से मण्डल की सेवा का त्याग करना चाहते हैं, उनके प्रकरणों में यदि उनके विरुद्ध कोई गम्भीर दुराचरण अथवा गबन के मामले में अनुशासनिक कार्यवाही लम्बित नहीं है या वे किसी दुराचरण में लिप्त होने कारण निलम्बित नहीं हैं तो नोटिस अवधि की शर्त को शिथिल मानते हुए, उनके स्वैच्छिक सेवा त्याग-पत्र को सक्षम अधिकारी द्वारा तुरन्त स्वीकृत कर लिया जावे।
3. पैरा 1 व 2 के अनुसार जिन अधिकारियों कर्मचारियों व तकनीकी कामगारों को स्वैच्छिक सेवा-निवृत्ति अथवा स्वैच्छिक सेवा-त्याग की अनुमति दी जावे उनमें से किसी के विरुद्ध यदि मण्डल की कोई राशि बकाया है तो वह उनके उपदान सीपीएफ / जीपीएफ आदि के भुगतान में से उनसे इस आशय का वचनबन्ध (अंडर टेकिंग) लेकर काट ली जावे।

अतः एतद, द्वारा समस्त नियंत्रण अधिकारियों संभागीय मुख्य अभियन्ताओं वृत्त अधिकारियों तथा विभागाध्यक्षों से अनुरोध है कि जिन अधिकारियों कर्मचारियों व तकनीकी कामगारों के लिए उन्हें मण्डल के नियमान्तर्गत नियुक्ति अधिकारियों घोषित किया गया है वे अपने स्तर पर सम्बंधित कर्मचारियों की स्वैच्छिक सेवा-निवृत्ति अथवा स्वैच्छिक सेवा त्याग के आवेदन को उपरोक्त निर्णयानुसार तुरन्त स्वीकृत करने की कार्यवाही करें और जिन प्रकरणों में कार्यवाही की जावे उसका विवरण सम्बंधित कर्मचारी अथवा तकनीकी कामगार का नाम वद व कार्यालय का नाम इंगित करते हुए, इस कार्यालय को सूचित करें।

आदेशानुसार
निदेशक (कार्मिक)

राजस्थान राज्य विद्युत मण्डल

वित्त विभाग

नियम अनुभाग

क्रमांक एफ.1(15)वित्त/नियम/99

जयपुर दिनांक 22.02.2003

परिपत्र

राज्य कर्मचारियों को देय विभिन्न प्रकार के अवकाशों जिनमें सक्षम चिकित्सा अधिकारी के द्वारा जारी चिकित्सा प्रमाण पत्र आवेदन पत्र के साथ प्रस्तुत करने होते हैं के लिए प्रारूप निर्धारित है। राजस्थान सेवा नियम 1951 के नियम 70 एवं 76 में चिकित्सा प्रमाण पत्र एवं नियम 83 में चिकित्सा पूर्ण होने पर फिटनेस प्रमाण पत्र का प्रारूप निर्धारित किया हुआ है। इन प्रारूपों में अंकित की जाने वाली समस्त सूचनाएं प्राधिकृत चिकित्सक द्वारा पूर्ण रूप से भरी जानी चाहिए।

राज्य सरकार के ध्यान में लाया गया है कि कुछ अवकाश स्वीकृतकर्ता प्राधिकारी प्राधिकृत चिकित्सक द्वारा अपूर्ण सूचनयुक्त चिकित्सा प्रमाण पत्रों के आधार पर राज्य कर्मचारियों से प्राप्त आवेदन पत्र पर विचार कर अवकाश स्वीकृत कर देने हैं, जो नियमानुकूल नहीं हैं।

अतः समस्त अवकाश स्वीकृतकर्ता प्राधिकारियों को पुनः निर्देशित किया जाता है कि जो राज्य कर्मचारी/ अधिकारी अवकाश आवेदन पत्र के साथ अपूर्ण सूचनयुक्त प्रमाण पत्र प्रस्तुत करें, उनके अवकाश आवेदन पत्र पर विचार नहीं किया जावे।

अपूर्ण सूचनयुक्त चिकित्सा प्रमाण पत्र के आधार पर परिवर्तित अवकाश अथवा अन्य अवकाश स्वीकृत करने की कार्यवाही को अनुशासनहीनता मानते हुए अवकाश स्वीकृत कर्ता प्राधिकारी के विरुद्ध विभागीय कार्यवाही प्रारम्भ की जावे।

(एम.पी. दीक्षित)
विशेषाधिकारी

राजस्थान राज्य विद्युत मण्डल

वित्त विभाग

(नियम डिवीजन)

क्रमांक एफ.1(15)वित्त/नियम/99

जयपुर दिनांक 22.02.2003

आदेश

राज्य सरकार ने कर्मचारियों को सेवा का परित्याग किए बिना अपना स्वयं का व्यवसाय करने अथवा अन्यत्र नौकरी करने की सुविधा प्रदान करने का दृष्टि से नियमित कर्मचारियों के लिये विशेष अवकाश (अवैतनिक) योजना तुरन्त प्रभाव से लागू करने का निर्णय लिया है। यह योजना चिकित्सा विभाग के तकनीकी कर्मचारी एवं चिकित्सक, शिक्षक चिकित्सा महाविद्यालय शिक्षक (स्कूल एवं महाविद्यालय), पुलिस विभाग के अधिकारी व अलिपिकीय वर्ग के कर्मचारियों को छोड़कर समस्त नियमित राज्य कर्मचारियों पर लागू होगी जो राज्य के कार्यकलापों के संबंध में लोक सेवा के पदों पर नियुक्त हैं जिन्हें पेंशन के लिए अयोग्य घोषित नहीं किया गया है।

राज्य कर्मचारियों को यह विशेष अवकाश निम्न शर्तों के अनुसार देय होगा:

- (1) एक राज्य कर्मचारी को आवेदन करने पर न्यूनतम दो वर्ष एवं अधिकतम पांच वर्ष तक के लिए यह विशेष अवकाश (अवैतनिक) स्वीकृत किया जा सकेगा, लेकिन कर्मचारी के अवकाश पर प्रस्थान के पश्चात, दो वर्ष की अवधि से पूर्ण उसे सेवा में नहीं लिया जावेगा। ऐसा अवकाश कर्मचारी के पूरे सेवाकाल में मात्र एक बार ही देया होगा।
- (2) विशेष अवकाश के प्रकरण पर निर्णय हेतु निम्नांकित प्राधिकृत होंग।

क्र.सं. के.डर	प्राधिकारी
1. अखिल भारतीय सेवा के अधिकारी/ विभागाध्यक्ष	कार्मिक विभाग (संबंधित विभाग के मंत्री एवं मुख्यमंत्री के अनुमोदन पर)
2. राज्य सेवा	प्रशासनिक विभाग
3. अधीनस्थ सेवा/ मंत्रालयिक सेवा/ चतुर्थ श्रेणी सेवा	विभागाध्यक्ष

(3) राज्य कर्मचारी इस अवकाश अवधि में भारत अथवा भारत के बाहर स्वरोजगार करने अथवा अन्य रोजगार प्राप्त करने के लिए स्वतंत्र रहेगा लेकिन वह राजस्थान सरकार के अन्य विभाग अथवा राज्य सरकार के नियंत्रणाधीन कम्पनी निगम स्वशाषी निकाय स्थानीय निकाय संस्थाओं, सहकारी संस्थाओं और राज्य सरकार द्वारा अनुदानित संस्थाओं में कार्य नहीं कर सकेगा। इस अवधि में कर्मचारी रातनीतिक गतिधियों में भाग नहीं ले सकेगा। कर्मचारी को सम्पर्क हेतु अपना स्थानीय (भारतमें) पता, अवकाश आवेदन पत्र में अंकित करना होगा।

(4) विशेष अवकाश अवधि में स्वरोजगार अथवा अन्य संस्थान में नियोजन प्राप्त करने को राजस्थान सिविल सेवा (आचरण) नियम 1958 के तहत दुराचरण नहीं माना जावेगा।

(5) राज्य कर्मचारी की उक्त अवकाश अवधि अवैतनिक होगी यह अवधि अवकाश अर्जित करने एवं पेंशन के लिए सेवाकाल नहीं मानी जावेगी। कर्मचारी द्वारा नियमानुसार पेंशन अंशदान जमा कराए जाने पर उक्त विशेष अवकाश अवधि पेंशन योग्य सेवा मानी जा सकेगी। इस अवधि के दौरान राज्य कर्मचार का पद भरा हुआ ही माना जावेगा एवं उस पद पर भर्ती/ पदोन्नति नहीं दी जा सकेगी।

(6) ऐसी अवधि में राज्य कर्मचारी उनको आवांटेन राजकीय आवास को रख सकेगा। परन्तु उसका किराया नियमानुसार वसूली योग्य होगा जो संबंधित कर्मचारी स्वयं जमा राएगा।

(7) स्वीकृती ऋण /अग्रिम की किश्तें स्वयं कर्मचारी द्वारा सम्बधित मद में चालान से जमा की जावेगी।

(8) राज्य कर्मचारी इस अवधि में राज्य बीमा पालिसी को जारी रख सकेगा। इस अवधि में अवकाश पर प्रस्थान करने की जिम्मेदारी कर्मचारी की स्वयं की होगी।

(9) राज्य कर्मचारी अवकाश अवधि में निम्न सुविधाओं के पात्र नहीं होंगें:

(a) चिकित्सा पुनर्भरण सुविधा

(b) राजकीय टेलिफोन / वाहन की सुविधा

(10) उपरोक्त विशेष अवकाश अवधि के दौरान राज्य कर्मचारी की मृत्यु होने पर उसके आश्रित को राज्य सरकार के अनुकम्पात्मक नियुक्ति नियमों के अनुसार पात्र होने पर नियुक्ति दी जा सकेगी।

(11) विशेष अवकाश अवधि में कर्मचारी की विभाग में वरिष्ठता प्रभावित नहीं होगी। यदि उक्त अवधि में कर्मचारी को पदोन्नति का अवसर बनता है तो विशेष अवकाश अवधि में विभागीय पदोन्नति समिति द्वारा पदोन्नति हेतु विचार करते समय ऐसे अवकाश काल को वास्तविक वार्षिक कार्य मूल्यांकन प्रतिवेदन नहीं होने से ऐसी अवधि का मूल्यांकन 'अच्छ' माना जावेगा। पदोन्नति हेतु योग्य कर्मचारी को चतववितउं पदोन्नति देय होगी। कर्मचारी के अवकाश से लौटने पर पदोन्नति का काल्पनिक लाभ पदोन्नति की दिनांक से दिया जावेगा।

(12)(a) अवकाश अवधि में या अवकाश की समाप्ति पर यदि राज्य कर्मचारी की पेंशन योग्य सेवा 15 वर्ष से कम है तो वह राज्य सेवा से इस्तीफा दे सकेगा और इसके लिये नोटिस अवधि की आवश्यकता नहीं होगी। यदि ऐसा कर्मचारी अवकाश समाप्ति पर कार्य ग्रहण नहीं करता है तो संबंधित नियुक्ति अधिकारी कर्मचारी को

कारण बताओं नोटिस जारी कर अथवा बिन्दु -3 के अनुसार निवास के पते अनुरूप वहां के स्थानीय समाचार पत्र में नोटिस प्रकाशित कराकर सूचित करेगा कि उसकी अनुपस्थिति को क्यों नहीं राज्य सेवा से उसका त्याग ;त्पेपहदंजपवदद्ध समझा जावें । जवाब प्राप्त होने पर उसका परीक्षण कर एवं जवाब प्राप्त नहीं होने पर सेवा से पृथक करने के आदेश जारी करेगी।

(b) जिन कर्मचारियों की सेवा अवधि स्वैच्छिक सेवा निवृत्ति हेतु पुरी हो ऐसे कर्मचारी अवकाश अवधि में अथवा अवकाश समाप्ति पर स्वैच्छिक सेवानिवृत्ति हेतु आवेदन कर सकेंगे और उन्हें भी स्वैच्छिक सेवानिवृत्ति हेतु नोटिस अवधि के लिये बाध्य नहीं किया जावेगा। नोटिस देने पर भी सेवा पर नहीं लौटने पर अवकाश समाप्ति की तिथि से स्वैच्छिक सेवा निवृत्त मान लिया जावेगा।

(एम.डी.कौरानी)
अतिरिक्त मुख्य सचिव वित्त

राजस्थान राज्य विद्युत मण्डल
वित्त विभाग
(नियम डिवीजन)

क्रमांक एफ.1(15)वित्त/नियम/99

जयपुर दिनांक 22.02.2003

परिपत्र

विषय: राज्य कर्मचारियों की अधिवार्षिकी की आयु में वृद्धि।

राज्य सरकार ने राज्य कर्मचारियों की अधिवार्षिकी की आयु दिनांक 31 मई 2004 से 58 वर्ष से बढ़ाकर 60 वर्ष करने का निर्णय लिया है । यह निर्णय पंचायत समितियाँ जिला परिषदों एवं कार्य प्रभारित कर्मचारियों पर भी लागू होगा। इस निर्णय के फलस्वरूप अब दिनांक 31 मई 2004 से 58 वर्ष पूर्ण करने वाले उपभोक्ता कर्मचारियों को 31 मई 2004 को सेवानिवृत्त नहीं किया जाएगा।

इस विषयक संबंधिक नियमों में अपवश्यक संशोधन अलग से जारी किए जा रहे हैं । इस के साथ राज्य सेवा में भर्ती की अधिकतम आयु सीमा में भी दो वर्ष की वृद्धि करने का निर्णय लिया गया है। आगामी दो वर्षों में होने वाली नियुक्तियों के संदर्भ में वे सभी अभ्यर्थी भी पात्रता रखेंगे जिनकी आयु दिनांक 1.1.1999 को निर्धारित अधिकतम आयु सीमा से अधिक नहीं थी।

राज्यपाल की आज्ञा से

(डॉ. गोविन्द शर्मा)
शासन सचिव, वित्त (मार्गोपाय)

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.257

JAIPUR DT 19.03.04

ORDER

The Co-ordination committee in its 66th meeting held on 24.1.2004 has decided to adopt the State Government order No.F.1 (8) Finance/ Rules/2002 dt.22.05.2003 (copy enclosed) regarding grant of Extra ordinary Leave (without pay) in all the Five successor entities of erstwhile RSEB, with the following conditions:

- (a) Chairman & Managing Director or Managing Director of the Company, as the case may be, shall be authority to sanction the Extra ordinary Leave.
- (b) The facility of Extra ordinary leave (without pay) shall be allowed to the employees of CPF /GPF holders both.
- (c) The period of leave will be treated as "dies no" for the purpose of pension but if the employee deposits the subscription of pension during the leave period, as per rules, the period of leave will be counted for the purpose of pension , But this facility shall not be provided to CPF holders.
- (d) The maximum period of Extra ordinary leave (without pay) will be 5 (five) years in the whole service period. If any officer/ official has availed the Extra ordinary leave (without pay) in past, for this purpose under erstwhile RSEB order No. RSEB/ Sec.3 /Admn. Misc./ D.539 dated 83.2000 the same may also be included for calculating the maximum period of leave i.e. 5 (Five) years.
- (e) An officer equivalent to the rank of superintending engineer and above shall be permitted for private entrepreneurship/ employees proposed to be accepted does not relate, directly or indirectly, with the power sector entities, however, this condition will not be applicable in respect of officers / employees upto the rank of executive engineer or equivalent by the Board of Directors of all the companies.

Sd/-

(S.R. CHORDIA)

SECRETARY (ADMN.)

RVPN F&R- 197

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.373

JAIPUR DATE 20.04.04

ORDER

Sub:- Ratification of order issued with regard to grant of Extra ordinary Leave (without pay)

The Board of Directors, RVPN in its 83rd meeting held on 31.03.2004 has ratified the action taken in issuing order No. RVPN/AS/GAD/F&R/F.1/D. 257 dt.19.3.2004 (RVPN F&R -188) regarding grant of Extra ordinary Leave (without pay).

Sd/-
(S.R. CHORDIA)
SECRETARY (ADMN.)

RVPN F&R- 214

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.502

JAIPUR DATE 29.05.04

ORDER

Sub:- Enhancement of age of superannuation in case of employees of the Nigam.

In exercise of the power conferred vide order No. RVPN/ADMN/AS/CC/F&R/D. 205 dt.1.12.2001 the Chairman & managing Director, RVPN is pleased to adopt State Government's Circular No.1 (6) Fin. /Rules/ 98dated 24.5.2004 (copy enclosed) for enhancement in age of superannuation form 58 years to 60 years in case of employees of the Nigam and to order that no employees /workman will be retired now on completion of 58 years age on 31.5.2004 consequential amendments in Service Regulations ae being issued separately.

Further, it has also been decided that maximum age of recruitment /appointment s be increased for two years, hence for appointments/ recruitment in next two years, applicants, who have not attained the maximum prescribed age as on 1.1.1999. will be eligible for appointments/ recruitment.

Encl : As above.

By order,
Sd/-
(S.R. CHORDIA)
SECRETARY (ADMN.)

RVPN F&R- 216

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.565

JAIPUR DATE 17.06.04

ORDER

The Board of Directors, RVPN ,in its 85th meeting held on 5.6.2004 has ratified the action taken vide order No. RVPN/ AS / GAD F&R/ F. 1 /D.502 dated 29.05.2004 in respect of enhancement in the age of superannuation from 58 years to 60 years of the employees of the Nigam and increase in the maximum age limit for recruitment / appointments by two years, as per state Government's circular No.1(6) Fin./ Rules/ 98 dt. 24.5.2004.

Sd/-
(S.R. CHORDIA)
SECRETARY (ADMN.)

RVPN F&R- 253

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.1286

JAIPUR DATE 18.12.04

ORDER

Sub:- Grant of Selection Grade after completion of 9,18 & 27 years to the employees who forgone / forgoes the promotion.

The Board of Directors, RVPN in its 94th meeting held on 8.12.2004 has decided that the conditions of order No. RSEB / F&R /F.16 (iii) D.11 dated 6.3.1992, of erstwhile RSEB will not be applicable on the employees who had forgone the promotion prior to issue of this order. Accordingly, recoveries in the aforesaid matter should not be made from the employees.

Sd/-
(S.R. CHORDIA)
SECRETARY (ADMN.)

RVPN F&R- 259

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.215

JAIPUR DATE 16.03.05

CIRCULAR

Sub:- Pension and Gratuity Contribution in respect of staff on deputation in BBMB and other central /State Government Departments / Undertakings.

The Board of Directors, RVPN in its 96th meeting held on 31.01.2005, has approved the following:-

- (i) The pension and gratuity contribution as well as the amount of employer's contribution of CPF employees on deputation to BBMB be borne by RVPN as the employees posted in BBMB are working there on transfer basis according to respective quota / share of the constituents. The Sr. accounts Officer (WA- Cash), RVPN, will remit the employer's

contribution at specified rates to the Chief Accounts Officer (P&F) , RVPN, by 15th of the following month. He will also remit past period dues, if any.

- (ii) The existing sub-para 5(ii)(b) of Regulation 57 (chapter-V) of the Employees Service Regulations, 1964 shall be substituted by the following, namely:
"employees of the company who are on deputation with other Departments/ Undertakings (Other than BBMB) to the effect that the foreign employer will pay the pension contribution @ 12% of the basic pay plus D.A. for the employees covered under pension scheme and gratuity contribution @ 4.17% of pay plus D.A. of all employees (GPF or CPF) per month.
- (iii) For future whenever the employees are placed on deputation to other departments (other than BBMB), it may be specified in the terms of deputation itself that the foreign employer will pay the pension and gratuity contributions at the prevailing rates. The employees would ensure that their own contribution is remitted each month to RVPN by 15th of the following month failing which no interest will be paid by the trust for the delayed period

Sd/-
(S.R. CHORDIA)
SECRETARY (ADMN.)

RVPN F&R- 260

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.259

JAIPUR DATE 30.03.05

CIRCULAR

Sub: - Stay on the orders in regard to Extra Ordinary Leave (without pay) for a period of minimum two years and maximum five years.

The Board of Directors, RVPN in its 99th meeting held on dated 21.03.2005 , has decided that in pursuance of decision taken earlier by the Board, with respect to grant of Extra Ordinary Leave (without pay) for period of from 2 to 5 years, be stayed with respect to Gazetted, Technical and Accounts Officers/ Staff till further orders. Accordingly, this office orders No. RVPN/AS/GAD/F&R/F.1 D.257 dt. 19.3.2004 (F&R- 188) and No.373 dt. 20.04.2004 (F&R -197), regarding grant of Extra Ordinary Leave (without pay) are hereby stayed till further orders.

Sd/-
(S.R. CHORDIA)
SECRETARY (ADMN.)

RVPN F&R- 315

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.547

JAIPUR DATE 19.05.06

ORDER

Sub:- Adoption of GoR Notification issued on 13.03.2006 regarding fixed monthly remuneration to Probationer Trainees.

The Board of Directors in its 115th meeting held on 3rd may 2006, has decided to adopt Government of Rajasthan's Notification dated 13.03.2006 regarding fixed monthly remuneration to the probationer Trainees during the probation period to the extent these are in consonance with the Statutory labour Laws. Accordingly, following new schedule shall be appended as Appendix-'D' to erstwhile RSEB's order No. RSEB F&R F. 46(21)/ III/ /D. 11 dated 24.02.98 for amount of monthly fixed remuneration to probationer Trainees of the Nigam, during probation period on scale to scale basis for every post/ service / cadre, namely:-

Appendix-D

Statement showing the scale-wise fixed monthly remuneration for probationer Trainees appointed on or after 20.01.2006 in the Nigam.

S. No.	Scales under the RPS 1996 (To be allowed after successful completion of probation training.	Amount of fixed remuneration per month (Rs.) (To be allowed during the period of probation Training).
1.	2650-65-3300-70-4000	2600
2.	2950-75-4075-80-4475	2900
3.	3050-75-3950-80-4590	3000
4.	3200-85-4900	3150
5.	3400-90-5200	3350
6.	3700-95-5600	3650
7.	4000-100-6000	3950
8.	4500-125-7000	4450
9.	5000-150-8000	4950
10.	5200-165-8500	5150
11.	5500-175-9000	5450
12.	6500-200-10500	6450
13.	8000-275-13500	7950
14.	9000-300-14400	Promotion scale
15.	10000-325-15200	Promotion scale
16.	10650-325-15850	Promotion scale
17.	11300-350-16200	Promotion scale
18.	12000-375-16500	Promotion scale
19.	13500-400-18300	Promotion scale
20.	14300-400-18300	Promotion scale
21.	16400-450-20000	Promotion scale

Note:

- (1) The probationer-trainee shall be entitled only to fixed remuneration as above and he/ she will not be entitled to special pay, Dearness pay, Dearness Allowance, House Rent Allowance, City Compensatory Allowance, Conveyance Allowance, Project Allowance, Washing Allowance etc. or any other allowance (s) called by whatever name. similarly he/

she will not be eligible for uniform /liveries except wearing of uniform is a legal compulsion under the rules.

- (2) No Travelling Allowance shall be admissible for joining as a probationer-trainee. In case journey on duty, he/ she shall be allowed T.A. as on tour and in case of transfer only mileage Allowance and incidental on the basis of fixed remuneration shall be admissible.
- (3) No deduction towards PMCF shall be made from the fixed remuneration.
- (4) Probationer-trainee shall be eligible for Casual leave of 12 days in a calendar year and for period of less than a calendar year, it shall be admissible in proportion on the basis of completed months.
- (5) No deputation allowance shall be admissible to a probationer-trainee, if deputed to "Foreign Service" for training etc.
- (6) The probationer trainee shall be covered by the CPF Scheme of the Nigam.
- (7) For an existing employee already in service prior to 20.1.06 an option shall be given to opt either for the "fixed remuneration" or the existing pay scale (not the scale of his/ her new appointment), whichever is beneficial to him while he /she is under probation pay may be fixed as per the rules, where such a Nigam servant will get advantage of being in regular pay scale earlier and will get due protection of his/ her pay. The term pay would be interpreted to mean the existing pay and all admissible allowances they have already been receiving in their original cadre. During their probation they shall be entitled for annual grade increments.

By order,
Sd/-
(Veerendra Singh Bankawat)
Secretary (Admn.)

RVPN F&R- 320

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F.1/ D.598

JAIPUR DATE 27.05.06

ORDER

Sub:- Giving incentive to Engineers who are in service and possess ME/ PhD Degree in Engineering only.

In exercise of the powers conferred vide order No. RVPN/ ADMO/ AS/ CC/ F&R /D. 205 dated 01.12.2001 the Chairman and Managing Director, has decided to adopt the state Government Notification No. F.16 (56) /FD (Rules)/ 98 dated 06.05.2002 regarding withdrawal of

"Higher Initial Pay / Advance Increments" Accordingly, erstwhile RSEB 's order No. RSEB / S. 3/ 6(297) / D. 242 dated 01.02.2000 regarding giving incentive to Engineers who are in service and possess ME/ Phd Degree in Engineering only is withdrawn with immediate effect.

By order,
Sd/-
(Veerendra Singh Bankawat)
Secretary (Admn.)

RVPN -F&R No: 347

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD., JAIPUR.

No.RVPN/AS/GAD/F&R/ /F.1/D. 1158

Dated:- 28.10.06

CLARIFICATION

Sub:- Counting the service period of Extra Ordinary Leave (without pay), notionally for the purpose of Annual Grade Increments.

The Coordination Committee, in its 97th meeting held on 28.9.2006, has decided to adopt the Govt. order No. F.1 (8) FD/Rules/2002, dated 01.08.2006, regarding counting the service period of Extra Ordinary Leave (without pay), notionally for the purpose of Annual Grade Increments. Accordingly, it is clarified that the period of Extra Ordinary Leave (without pay) sanctioned to the employees in compliance to Nigam's order No. RVPN/AS/GAD/F&R/F.1/D. 257 dated 19.03.04 (F&R-188) should be counted notionally as service period for the purpose of Annual Grade Increments.

By order,
Sd/-
(Veerendra Singh Bankawat)
Secretary (Admn.)

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/ F. 1(Pt-II)/D. 336

JAIPUR, Dated: 28.04.07

ORDER

Sub:-Regarding minimum start in the regular pay scale of JEN-I to the newly recruited JEN-I.

The Board of Directors, RVPN, in its 131st meeting held on 30.03.07, has decided to allow consolidated minimum remuneration of Rs. 6450/- p.m. (i.e Rs. 50/- less than Rs. 6500/-) to the persons possessing degree in Engineering and appointed as JEN-I. Accordingly, following shall be inserted below the statement showing the scale-wise fixed monthly remuneration to Probationer Trainees of the order No. RVPN/AS/GAD/F&R/ESR/F.1/D. 547 dated 19.05.06 (RVPN F&R-315), namely: -

"Remark: The Degree holder JENs shall be entitled for consolidated fixed remuneration of Rs. 6450/- i.e. Rs. 50/- less than Rs. 6500/-."

By order,

Sd/-
(Veerendra Singh Bankawat)
Secretary (Admn.)

RVPN -F&R No: 585

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.

NO.RVPN/AS/GAD/F&R/F. 1 (Pt-II)/D.671

Dated: 3/6/09

ORDER

Sub: - Ex-gratia payment in case of death of a Nigam's employee (Probationer Trainee) while in service.

The Board of Directors, RVPN, in its 165th meeting held on 29th May, 2009, has accorded its approval to allow/grant ex-gratia payment of Rs. 10,000/- (Rupees Ten thousand) only to the widow/dependent of the deceased Probationer Trainee of the Nigam in case of death of a Probationer Trainee of the Nigam, while in service.

By order,

Sd/-
(Vijay Mathur)
Company Secretary

**GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
(RULES DIVISION)**

No. F.1(2) FD (Rules) /05 pt. -I

Jaipur dated 23 July 2009

NOTIFICATION

Sub:- Amendment in Rajasthan Service Rules, 1951 - Volume-I

In exercise of the powers conferred by the proviso to Article 309 of the constitution of India, the Governor of Rajasthan hereby makes the following rules to amend further the Rajasthan Service Rules, namely:-

1. These rules may be into called the Rajasthan Service (Amendment) Rules, 2009.
2. They shall come into force with effect from 01.1.2007.
3. In the Rajasthan Service Rules -

The existing para 4 of the Government of Rajasthan's Decision below Rules 145 of Rajasthan Service Rules substituted vide Finance Department Notification No. F.1 (20) FD (Gr.2) /84 dated 01.03.1990 shall be substituted by the following namely:-

"4 It has been further decided that the pension contribution for each month of deputation , shall be paid @ 10% of the sum of pay in Running pay Band, Grade pay and dearness Allowance of the post which the deputationist would have held in his parent cadre at the end of foreign service if reverted before close of the financial year. For the aforesaid purpose a fraction of month exceeding 15 days would be treated as full month and a fraction upto 15 day would be ignored. The rate of contribution so payable by the borrowing authority of foreign employer shall invariably be indicated in the order issued by the competent authority regulating his terms and conditions of deputation so that contribution for pension due in respect of a Government Servant in foreign service is paid within one from the end of each financial year or the end of foreign service it the deputation on foreign service comes to an end before close of the financial year as envisaged in Rule 149 of Rajasthan service Rules"

By order of the Governor,

Sd/-
(Deepak
Upreti)
Secretary to the Government

ORDER

Sub:- Adoption of GoR's Notification dated 26.04.2011 in respect of period of probation.

The Board of Directors, RVPN, in its 196th meeting held on 25th May, 2011, has approved to adopt the Notification No. F.7(2)DOP/A-II/2005 dated 26.4.2011, issued by the Department of Personnel (A-Gr.II), Govt. of Rajasthan. Accordingly, the period spent as probationer trainee shall be counted for experience and eligibility for promotion.

This order is in supersession of all earlier instructions issued in this regard and is made retrospectively effective from 20.01.2006.

.By order,
Sd/-
(Vijay Mathur)
Company Secretary

